

Queensland



**POLICE POWERS AND  
RESPONSIBILITIES (DNA)  
AMENDMENT ACT 2002**

**Act No. 26 of 2002**



**Queensland**



**POLICE POWERS AND  
RESPONSIBILITIES (DNA) AMENDMENT  
ACT 2002**

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*An Act to amend the **Police Powers and Responsibilities Act 2000***

*[Assented to 21 June 2002]*

## **The Parliament of Queensland enacts—**

### **1 Short title**

This Act may be cited as the *Police Powers and Responsibilities (DNA) Amendment Act 2002*.

### **2 Act amended**

This Act amends the *Police Powers and Responsibilities Act 2000*.

### **3 Amendment of s 310 (Taking DNA sample after conviction of adult)**

(1) Section 310, heading, ‘**conviction of adult**’—

*omit, insert—*

‘**finding of guilt**’.

(2) Section 310—

*insert—*

‘(4) It is declared that a reference in subsection (1) to an indictable offence includes, and has always included, a reference to an indictable offence dealt with summarily.

‘(5) Any DNA sample taken from a person under, or purportedly under, this section before the commencement of this subsection was not unlawfully taken merely because the indictable offence of which the person was found guilty was dealt with summarily.’.

### **4 Amendment of s 311 (Taking DNA sample from prisoner)**

(1) Section 311(4)—

*renumber* as section 311(6).

(2) Section 311—

*insert—*

‘(4) It is declared that a reference in subsection (1) to an indictable offence includes, and has always included, a reference to an indictable offence dealt with summarily.

‘(5) Any DNA sample taken from a person under, or purportedly under, this section before the commencement of this subsection was not unlawfully taken merely because the indictable offence for which the person was serving the term of imprisonment was dealt with summarily.’.

## **5 Amendment of s 316 (When DNA samples and results must be destroyed)**

Section 316—

*insert—*

‘(5) It is declared that a reference in subsection (2)(b) to an indictable offence includes, and has always included, a reference to an indictable offence dealt with summarily.’.