



Queensland

Summary Offences and Other Acts Amendment Act 2008

Act No. 65 of 2008



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Summary Offences and Other Acts Amendment Act 2008

Act No. 65 of 2008

An Act to amend the Summary Offences Act 2005, the Police Powers and Responsibilities Act 2000 and the Environmental Protection and Other Legislation Amendment Act (No. 2) 2008 for particular purposes

[Assented to 1 December 2008]

[s 1]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Summary Offences and Other Acts Amendment Act 2008*.

2 Commencement

Part 3 commences on 1 January 2009.

Part 2 Amendment of Summary Offences Act 2005

3 Act amended in pt 2

This part amends the *Summary Offences Act 2005*.

4 Replacement of s 7 (Review)

Section 7—

omit, insert—

‘7 Urinating in a public place

‘(1) A person must not urinate in a public place.

Maximum penalty—2 penalty units.

‘(2) In a proceeding for an offence against subsection (1), evidence that liquid was seen to be discharged from the vicinity of a person’s pelvic area is enough evidence that the person was urinating.

[s 7]

renumber as section 394(6).

(3) Section 394—

insert—

‘(5) A regulation may declare the boundaries of the police districts comprising the prescribed area for subsection (2)(ca).’

(4) Section 394(6), as renumbered—

insert—

‘**associated offence**, in relation to a prescribed public nuisance offence, means an offence (whether committed within or outside the prescribed area) against either or both of the following provisions, unless the offence also involves an offence against the person—

- (a) section 790(1), but only to the extent that it relates to obstructing a police officer in the performance of a police officer’s duties in relation to a prescribed public nuisance offence;
- (b) section 791(2), but only to the extent that it relates to a requirement to state a person’s correct name and address in relation to a prescribed public nuisance offence.

prescribed area means the South Brisbane and Townsville police districts.

Note—

Indicative maps of the police districts may be located on the police service website.

<http://www.police.qld.gov.au/Resources/Internet/services/reportsPublications/documents/07_OrganisationalStructure.pdf>

prescribed public nuisance offence means an offence against the *Summary Offences Act 2005*, section 6(1) or 7(1), unless the offence also involves an offence against the person.’

