



Queensland

Criminal Code and Other Legislation Amendment Act 2019

Act No. 15 of 2019

An Act to amend the Criminal Code, the Evidence Act 1977 and the Penalties and Sentences Act 1992 for particular purposes

[Assented to 7 May 2019]



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The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Criminal Code and Other Legislation Amendment Act 2019*.

Part 2 Amendment of Criminal Code

2 Code amended

This part amends the Criminal Code.

3 Amendment of s 302 (Definition of *murder*)

Section 302(1), after paragraph (a)—

insert—

(aa) if death is caused by an act done, or omission made, with reckless indifference to human life;

4 Amendment of s 324 (Failure to supply necessities)

Section 324, from ‘misdemeanour’—

omit, insert—

crime.

Maximum penalty—7 years imprisonment.

[s 5]

5 Insertion of new s 575A

After section 575—

insert—

575A Evidence at murder trial

- (1) This section applies in relation to the trial of a person charged with murder under a paragraph of section 302(1).
- (2) The person may be convicted of murder if the evidence at the trial establishes that the person is guilty of murder under any other paragraph of section 302(1).

Part 3 Amendment of Evidence Act 1977

6 Act amended

This part amends the *Evidence Act 1977*.

7 Amendment of s 21M (Meaning of *protected witness*)

Section 21M(3), definition *prescribed special offence*, after ‘323B,’—

insert—

324,

Part 4 Amendment of Penalties and Sentences Act 1992

8 Act amended

This part amends the *Penalties and Sentences Act 1992*.

9 Amendment of s 9 (Sentencing guidelines)

Section 9—

insert—

- (9B) In determining the appropriate sentence for an offender convicted of the manslaughter of a child under 12 years, the court must treat the child's defencelessness and vulnerability, having regard to the child's age, as an aggravating factor.

10 Amendment of sch 1 (Serious violent offences)

Schedule 1, entry for Criminal Code—

insert—

30A section 324 (Failure to supply necessities)

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