



Queensland

# Justice and Other Legislation Amendment Regulation (No. 1) 2008

## Subordinate Legislation 2008 No. 50

made under the

*Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984*

*Electoral Act 1992*

*Jury Act 1995*

*Justices Act 1886*

*State Penalties Enforcement Act 1999*

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[s 1]

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Justice and Other Legislation Amendment Regulation (No. 1) 2008*.

### **2 Commencement**

This regulation commences on 15 March 2008.

## **Part 2 Amendment of Aboriginal Communities (Justice and Land Matters) Regulation 1998**

### **3 Regulation amended in pt 2**

This part amends the *Aboriginal Communities (Justice and Land Matters) Regulation 1998*.

### **4 Amendment of s 1 (Short title)**

Section 1, from ‘may be cited as’—

*omit, insert—*

‘may be cited as the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Regulation 1998*.’.

### **5 Amendment of s 3 (Establishment of community justice groups—Act, s 18(1))**

(1) Section 3(2), ‘Each’—

*omit, insert—*

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‘Subject to subsection (3), each’.

(2) Section 3—

*insert—*

‘(3) If a relevant schedule states that a main indigenous social grouping for a community justice group must nominate a minimum number of persons to be members of the justice group, including a minimum number of persons of a particular category, the obligation on the main indigenous social grouping is to nominate the minimum number of persons to the greatest practicable extent.’.

## **6 Replacement of s 4 (Criminal history checks)**

Section 4—

*omit, insert—*

### **‘4 Community justice groups continued under Act, s 84**

‘(1) A community justice group named in schedule 14, 14A or 14B—

(a) was established under section 18 of the Act before the changeover day; and

(b) from the changeover day, continued under section 84 of the Act.

‘(2) Subject to subsection (3), each schedule mentioned in subsection (1) prescribes matters about the community justice group named in the schedule.

‘(3) If a schedule mentioned in subsection (1) states that a main indigenous social grouping for a community justice group must nominate a minimum number of persons to be members of the justice group, including a minimum number of persons of a particular category, the obligation on the main indigenous social grouping is to nominate the minimum number of persons to the greatest practicable extent.

‘(4) For a community area that is described, in a schedule mentioned in subsection (1), by reference to an area that,

[s 6]

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immediately before the changeover day, was the community government area of a local government—

- (a) the reference to the local government is taken to be a reference to the local government as it existed immediately before the changeover day; and
- (b) the reference to the community government area of the local government is taken to be a reference to the community government area as it was under the *Local Government (Community Government Areas) Act 2004* as in force immediately before the changeover day.

*Example for subsection (4)—*

In schedule 14, section 1, definition *Injinoo community area*—

- (a) the reference to Injinoo Shire Council is taken to be a reference to Injinoo Shire Council as the council existed immediately before the changeover day; and
- (b) the reference to the community government area of the Injinoo Shire Council is taken to be a reference to the community government area as it was under the *Local Government (Community Government Areas) Act 2004* as in force immediately before the changeover day.

*Notes—*

- 1 Under the *Local Government (Community Government Areas) Act 2004* as in force immediately before the changeover day, community government areas were described by reference to the local government areas for the councils, which were described in schedule 2 of that Act as in force immediately before the changeover day.
- 2 Each map mentioned in the *Local Government (Community Government Areas) Act 2004*, schedule 2 as in force immediately before the changeover day can be—
  - (a) accessed by members of the public, free of charge, on the website of the department in which the *Justices Act 1886* is administered; or
  - (b) purchased from any office of the department in which the *Survey and Mapping Infrastructure Act 2003* is administered.

*Editor's note—*

At the commencement of this section, the website of the department mentioned in note 2(a) was <[www.justice.qld.gov.au](http://www.justice.qld.gov.au)>.

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**4A Community justice groups continued under Act, s 85**

- ‘(1) A community justice group named in schedule 14C or 14D—
- (a) was established under the repealed Torres Strait Act before the changeover day; and
  - (b) from the changeover day, continued under section 85 of the Act.

‘(2) Subject to subsection (3), each schedule mentioned in subsection (1) prescribes matters about the community justice group named in the schedule.

‘(3) If a schedule mentioned in subsection (1) states that a main indigenous social grouping for a community justice group must nominate a minimum number of persons to be members of the justice group, including a minimum number of persons of a particular category, the obligation on the main indigenous social grouping is to nominate the minimum number of persons to the greatest practicable extent.’.

**7 Insertion of new pt 4, div 1, hdg**

Part 4, before section 6—

*insert—*

**‘Division 1 Transitional provisions for regulations commencing before 15 March 2008’.**

**8 Insertion of new pt 4, div 2**

Part 4—

*insert—*

[s 8]

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## **‘Division 2                      Transitional provisions for Justice and Other Legislation Amendment Regulation (No. 1) 2008**

### **‘11      Existing nominations**

‘(1) For nominating members of a community justice group for a prescribed schedule, a nomination under section 5 of the prescribed schedule includes a nomination made before the commencement.

‘(2) However—

- (a) for schedules 13C and 13D, subsection (1) only applies to a nomination made by a main indigenous social grouping under the schedule; and
- (b) for schedules 14, 14A, 14B, 14C and 14D, subsection (1) applies only to a nomination made under the superseded nomination section for the schedule.

‘(3) In this section—

*commencement* means commencement of this section.

*prescribed schedule* means schedule 13C, 13D, 14, 14A, 14B, 14C or 14D.

*superseded nomination section* means—

- (a) for schedule 14—the repealed schedule 4, section 5 as in force before the commencement; or
- (b) for schedule 14A—the repealed schedule 12, section 5 as in force before the commencement; or
- (c) for schedule 14B—the repealed schedule 8, section 5 as in force before the commencement; or
- (d) for schedule 14C—the repealed *Community Services (Torres Strait) Regulation 1998*, schedule 1C, section 5; or
- (e) for schedule 14D—the repealed *Community Services (Torres Strait) Regulation 1998*, schedule 1B, section 5.



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**‘12 Existing membership for Injinoo Community Justice Group**

‘The limitation under schedule 14, section 3 that the Injinoo Community Justice Group can not have more than 10 members does not apply until 6 months after the commencement of this section.’

**9 Amendment of sch 2 (Doomadgee Community Justice Group)**

Schedule 2, section 8—

*insert—*

- ‘(3) If the term of office of a member (*former member*) ends under subsection (1)(b)(i), the former member may continue to act as a member in the office left vacant by the former member until the vacancy is filled.’

**10 Omission of schs 4 and 8**

Schedules 4 and 8—

*omit.*

**11 Amendment of sch 10 (Cherbourg Community Justice Group)**

- (1) Schedule 10, section 1, definition *main indigenous social grouping*, second dot point, from ‘Kingaroy’ to ‘government area’—

*omit, insert—*

‘local government area of the South Burnett Regional Council’.

- (2) Schedule 10, section 4(1)(b), from ‘Kingaroy’ to ‘government area’—

*omit, insert—*

‘local government area of the South Burnett Regional Council’.

[s 12]

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- (3) Schedule 10, section 5(1), table, item 2, column 1, from ‘Kingaroy’ to ‘government area’—

*omit, insert—*

‘local government area of the South Burnett Regional Council’.

- (4) Schedule 10, section 9(1), from ‘for 4 years’—

*omit, insert—*

‘for the term—

- (a) starting on the day the member’s nomination takes effect under section 5(4); and

- (b) ending on the earlier of the following—

- (i) 4 years after the day the member’s nomination takes effect;

- (ii) the day the member’s office becomes vacant under section 7(1).’.

- (5) Schedule 10, section 9—

*insert—*

- ‘(3) If the term of office of a member (*former member*) ends under subsection (1)(b)(i), the former member may continue to act as a member in the office left vacant by the former member until the vacancy is filled.’.

## 12 Omission of sch 12 (New Mapoon Community Justice Group)

Schedule 12—

*omit.*

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**13 Amendment of sch 14 (Yarrabah Community Justice Group)**

Schedule 14, section 1, heading, ‘sch 14’—

*omit, insert—*

‘sch 13A’.

**14 Amendment of sch 14A (Palm Island Community Justice Group)**

(1) Schedule 14A, section 1, heading, ‘sch 14A’—

*omit, insert—*

‘sch 13B’.

(2) Schedule 14A, section 9—

*insert—*

‘(3) If the term of office of a member (*former member*) ends under subsection (1)(b)(i), the former member may continue to act as a member in the office left vacant by the former member until the vacancy is filled.’.

**15 Renumbering of schs 14 and 14A**

Schedules 14 and 14A—

*renumber* as schedules 13A and 13B.

**16 Insertion of new schs 13C, 13D and 14 to 14D**

After schedule 13B, as renumbered under this regulation—

*insert—*

[s 16]

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## ‘Schedule 13C Hope Vale Community Justice Group

section 3

### ‘Part 1 Preliminary

#### ‘1 Definitions for sch 13C

‘In this schedule—

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Binhthi
- Buurnga
- Dharrpa
- Dinggaal
- Gamaay
- Gulaal
- Ngaatha
- Nguurruumunga
- Nguymbaarr Nguymbaarr
- Nugal
- Thanil
- Thiithaar
- Thuubi
- historical residents of the community government area of the Hope Vale Shire Council.

*special meeting* see section 10(2).

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## **‘Part 2                      Name of community justice group**

### **‘2            Name—Act, s 18(2)**

‘The name of the community justice group for the community government area of the Hope Vale Shire Council is Thurrbiil Community Justice Group.

## **‘Part 3                      Membership**

### **‘3            Number of members**

‘The justice group comprises at least 14 but not more than 28 members.

### **‘4            Eligibility**

‘A person is eligible to be a member of the justice group if the person—

- (a) is a member of a main indigenous social grouping; and
- (b) does not have a conviction, other than a spent conviction, for—
  - (i) an indictable offence; or
  - (ii) another offence, other than an offence involving the non-payment of a fine, for which the penalty imposed was, or included, a period of imprisonment.

[s 16]

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**‘5 Nomination, and withdrawal of nomination, of members**

- ‘(1) Each main indigenous social grouping must nominate at least 1 person, and may nominate 2 persons, who are members of the grouping to be members of the justice group.
- ‘(2) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
- ‘(3) A main indigenous social grouping must advise the Minister in writing of each nomination, or withdrawal of a nomination, made by it.
- ‘(4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

**‘6 Notification by Minister**

- ‘(1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- ‘(2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- ‘(3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person or withdrew the person’s nomination.
- ‘(4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

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**‘7 Vacation of office**

- ‘(1) The office of a member of the justice group becomes vacant if—
- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
  - (b) the member’s nomination is withdrawn under section 5.
- ‘(2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

**‘8 Coordinator to advise Minister of vacancy**

‘The coordinator for the justice group must, as soon as practicable after a member’s office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

**‘9 Term of membership**

- ‘A member of the justice group holds office for the term—
- (a) starting on the day the member’s nomination takes effect under section 5(4); and
  - (b) ending on the day the member’s office becomes vacant under section 7(1).

[s 16]

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## **‘Part 4                      Business and meetings**

### **‘10      Conduct of business**

- ‘(1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- ‘(2) The justice group may only make decisions about business relating to its functions under section 19(1)(a), (c), (d) or (e) of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

### **‘11      Times and places of special meetings**

- ‘(1) Special meetings must be held at the times and places the justice group decides.
- ‘(2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by 10 or more members of the justice group.

### **‘12      Quorum for special meeting**

‘A quorum for a special meeting of the justice group is 10 of its members, at least 8 of whom must each represent a different main indigenous social grouping.

### **‘13      Presiding at special meeting**

- ‘(1) Subsection (2) applies if the justice group has elected a member (the *elected member*) of the group to be the chairperson.
- ‘(2) At a special meeting, the elected member is to preside.
- ‘(3) Subsection (4) applies if—
  - (a) at a special meeting, the elected member is not present;  
or



- (b) when a special meeting is held, there is no elected member.
- ‘(4) At the special meeting, a member of the justice group chosen by the members present is to preside.

#### ‘14 **Voting at special meeting**

- ‘(1) For each main indigenous social grouping, only 1 member who represents the grouping (the *voting member*) may vote on a question to be decided at a special meeting.
- ‘(2) If 2 members of a main indigenous social grouping are present at a special meeting, the members of the justice group who represent the grouping—
  - (a) may decide the grouping’s voting member for a question; and
  - (b) if more than 1 question is to be decided, may decide that a different member is the grouping’s voting member for different questions.
- ‘(3) A question at a special meeting of the justice group is to be decided by a majority of the votes of the members voting on the question and, if the votes are equal, the question is decided in the negative.

[s 16]

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## **‘Schedule 13D Mornington Community Justice Group**

section 3

### **‘Part 1 Preliminary**

#### **‘1 Definitions for sch 13D**

‘In this schedule—

*historical social grouping* means the group of indigenous persons, other than persons who are members of a tribal group, who have a historical association with the land that is, or is part of, the Shire of Mornington.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- each of the tribal groups
- the historical social grouping.

*special meeting* see section 10(2).

*tribal group* means each of the following tribal groups of indigenous persons under Aboriginal custom—

- Kiadilt
- Lardil (Leeward)
- Lardil (Windward)
- Yungal.

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## **‘Part 2                      Name of community justice group**

### **‘2            Name—Act, s 18(2)**

‘The name of the community justice group for the Shire of Mornington is Junkuri Laka Community Justice Group.

## **‘Part 3                      Membership**

### **‘3            Number of members**

‘The justice group comprises at least 5 but not more than 15 members.

### **‘4            Eligibility**

‘A person is eligible to be a member of the justice group if the person—

- (a) is an Aborigine or Torres Strait Islander who is a member of a main indigenous social grouping; and
- (b) lives in the Shire of Mornington; and
- (c) does not have a conviction, other than a spent conviction, for—
  - (i) an indictable offence; or
  - (ii) another offence, other than an offence involving the non-payment of a fine, for which the penalty imposed was, or included, a period of imprisonment.

[s 16]

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**‘5 Nomination, and withdrawal of nomination, of members**

- ‘(1) Each main indigenous social grouping must nominate at least 1 person, and may nominate up to 3 persons, who are members of the grouping to be members of the justice group.
- ‘(2) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
- ‘(3) A main indigenous social grouping must advise the Minister in writing of each nomination, or withdrawal of a nomination, made by it.
- ‘(4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

**‘6 Notification by Minister**

- ‘(1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- ‘(2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- ‘(3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person or withdrew the person’s nomination.
- ‘(4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

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**‘7 Vacation of office**

- ‘(1) The office of a member of the justice group becomes vacant if—
- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
    - (iv) is absent from 3 consecutive meetings of the justice group without the justice group’s permission and without reasonable excuse; or
  - (b) the member’s nomination is withdrawn under section 5.
- ‘(2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

**‘8 Coordinator to advise Minister of vacancy**

‘The coordinator for the justice group must, as soon as practicable after a member’s office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

**‘9 Term of membership**

- ‘(1) Subject to subsection (2), a member of the justice group holds office for the term—
- (a) starting on the day the member’s nomination takes effect under section 5(4); and
  - (b) ending on the earlier of the following—
    - (i) 2 years after the day the member’s nomination takes effect;
    - (ii) the day the member’s office becomes vacant under section 7(1).

[s 16]

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- ‘(2) If the office of a member (the *former member*) becomes vacant under section 7(1), a person appointed to fill the resulting vacancy holds office until the day the former member’s term would have ended if the former member’s office had not become vacant.
- ‘(3) If the term of office of a member (*former member*) ends under subsection (1)(b)(i), the former member may continue to act as a member in the office left vacant by the former member until the vacancy is filled.

## ‘Part 4                      **Business and meetings**

### ‘10      **Conduct of business**

- ‘(1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition.
- ‘(2) The justice group may only make decisions about business relating to its functions under section 19(1)(a), (c), (d) or (e) of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

### ‘11      **Times and places of special meetings**

- ‘(1) Special meetings must be held at the times and places the justice group decides.
- ‘(2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

**‘12 Quorum for special meeting**

‘A quorum for a special meeting of the justice group is 5 of its members, at least 3 of whom must each represent a different main indigenous social grouping.

**‘13 Presiding at special meeting**

- ‘(1) Subsection (2) applies if the justice group has decided that a particular member of the justice group is to be the president of the group.
- ‘(2) At a special meeting, the president is to preside.
- ‘(3) Subsection (4) applies if—
  - (a) at a special meeting, the president is not present; or
  - (b) when a special meeting is held, there is no president.
- ‘(4) At the special meeting, a member of the justice group chosen by the members present is to preside.

**‘14 Voting at special meeting**

‘A question at a special meeting is to be decided by a majority of the votes of the members voting on the question and, if the votes are equal, the question is decided in the negative.

[s 16]

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## **‘Schedule 14 Injinoo Community Justice Group**

section 4

### **‘Part 1 Preliminary**

#### **‘1 Definitions for sch 14**

‘In this schedule—

*Injinoo community area* means the part of the local government area of NPARC that, immediately before the changeover day, was the community government area of the Injinoo Shire Council.

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Angkamuthi
- Atambaya
- Gudang
- Yadhaykenu
- historical residents of the Injinoo community area.

*special meeting* see section 10(2).

### **‘Part 2 Name of community justice group**

#### **‘2 Name**

‘The name of the community justice group for the Injinoo community area is Ikama Ikya Community Justice Group.



## **‘Part 3 Membership**

### **‘3 Number of members**

‘The justice group comprises at least 5 but not more than 10 members.

### **‘4 Eligibility**

‘A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the Injinoo community area.

### **‘5 Nomination, and withdrawal of nomination, of members**

- ‘(1) Each main indigenous social grouping—
- (a) must nominate 1 person who is a member of the grouping to be a member of the justice group; and
  - (b) may nominate up to 9 persons who are members of the grouping to be members of the justice group.
- ‘(2) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
- ‘(3) A main indigenous social grouping must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- ‘(4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
- (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

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## **‘6 Notification by Minister**

- ‘(1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- ‘(2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- ‘(3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person or withdrew the person’s nomination.
- ‘(4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

## **‘7 Vacation of office**

- ‘(1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
    - (iv) is absent from 5 consecutive special meetings of the justice group without the justice group’s permission and without reasonable excuse; or
  - (b) the member’s nomination is withdrawn under section 5.
- ‘(2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

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**‘8 Coordinator to advise Minister of vacancy**

‘The coordinator for the justice group must, as soon as practicable after a member’s office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

**‘9 Term of membership**

‘A member of the justice group holds office for the term—

- (a) starting on the day the member’s nomination takes effect under section 5(4); and
- (b) ending on the day the member’s office becomes vacant under section 7(1).

**‘Part 4 Business and meetings**

**‘10 Conduct of business**

- ‘(1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition or Island custom.
- ‘(2) The justice group may only make decisions about business relating to its functions under section 19(1)(a), (c), (d) or (e) of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

**‘11 Times and places of special meetings**

- ‘(1) Special meetings must be held at the times and places the justice group decides.
- ‘(2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

[s 16]

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**‘12 Quorum for special meeting**

‘A quorum for a special meeting of the justice group is 5.

**‘13 Presiding at special meeting**

‘At a special meeting, the member of the justice group chosen by the members present is to preside.’.

**‘14 Voting at special meeting**

‘A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

## **‘Schedule 14A New Mapoon Community Justice Group**

section 4

### **‘Part 1 Preliminary**

**‘1 Definitions for sch 14A**

‘In this schedule—

*main indigenous social grouping* means each of the following groups of indigenous persons—

- Aboriginal people
- Torres Strait Islanders
- traditional owners of the New Mapoon community area.

*New Mapoon community area* means the part of the local government area of NPARC that, immediately before the

changeover day, was the community government area of the New Mapoon Shire Council.

*special meeting* see section 10(2).

## **‘Part 2                      Name of community justice group**

### **‘2              Name**

‘The name of the community justice group for the New Mapoon community area is Mandthingu Community Justice Group.

## **‘Part 3                      Membership**

### **‘3              Number of members**

‘The justice group comprises at least 3 but not more than 20 members.

### **‘4              Eligibility**

‘A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the New Mapoon community area.

### **‘5              Nomination, and withdrawal of nomination, of members**

‘(1) Each main indigenous social grouping must nominate at least 1 person who is a member of the grouping to be a member of the justice group.

[s 16]

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- ‘(2) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
- ‘(3) A main indigenous social grouping must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- ‘(4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

## ‘6 Notification by Minister

- ‘(1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- ‘(2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- ‘(3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person or withdrew the person’s nomination.
- ‘(4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

## ‘7 Vacation of office

- ‘(1) The office of a member of the justice group becomes vacant if—
  - (a) the member—

- (i) dies; or
  - (ii) resigns office by notice given to the coordinator for the justice group; or
  - (iii) ceases to be eligible to be a member of the justice group; or
  - (iv) is absent from 5 consecutive special meetings of the justice group without the justice group's permission and without reasonable excuse; or
- (b) the member's nomination is withdrawn under section 5.
- '(2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

#### **'8 Coordinator to advise Minister of vacancy**

'The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

#### **'9 Term of membership**

'A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(4); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## **'Part 4 Business and meetings**

#### **'10 Conduct of business**

- '(1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers

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appropriate, including, for example, by following Aboriginal tradition or Island custom.

- ‘(2) The justice group may only make decisions about business relating to its functions under section 19(1)(a), (c), (d) or (e) of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### **‘11 Times and places of special meetings**

- ‘(1) Special meetings must be held at the times and places the justice group decides.
- ‘(2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### **‘12 Quorum for special meeting**

‘A quorum for a special meeting of the justice group is 5.

#### **‘13 Presiding at special meeting**

‘At a special meeting, the member of the justice group chosen by the members present is to preside.

#### **‘14 Voting at special meeting**

‘A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.



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## **‘Schedule 14B Umagico Community Justice Group**

section 4

### **‘Part 1 Preliminary**

#### **‘1 Definitions for sch 14B**

‘In this schedule—

*main indigenous social grouping* means each of the following groups of indigenous persons who live in the Umagico community area—

- Aboriginal people
- Torres Strait Islanders.

*special meeting* see section 10(2).

*Umagico community area* means the part of the local government area of NPARC that, immediately before the changeover day, was the community government area of the Umagico Shire Council.

### **‘Part 2 Name of community justice group**

#### **‘2 Name**

‘The name of the community justice group for the Umagico community area is the Umagico Community Justice Group.

[s 16]

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## **‘Part 3    Membership**

### **‘3    Number of members**

‘The justice group comprises at least 4 but not more than 21 members.

### **‘4    Eligibility**

‘A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the Umagico community area.

### **‘5    Nomination, and withdrawal of nomination, of members**

- ‘(1) Each main indigenous social grouping—
- (a) must nominate at least 2 persons who are members of the grouping to be members of the justice group; and
  - (b) may nominate up to 8 other persons to be members of the justice group.
- ‘(2) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
- ‘(3) A main indigenous social grouping must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- ‘(4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
- (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

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**‘6 Notification by Minister**

- ‘(1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- ‘(2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- ‘(3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person or withdrew the person’s nomination.
- ‘(4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

**‘7 Vacation of office**

- ‘(1) The office of a member of the justice group becomes vacant if—
  - (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member of the justice group; or
    - (iv) is absent from 5 consecutive special meetings of the justice group without the justice group’s permission and without reasonable excuse; or
  - (b) the member’s nomination is withdrawn under section 5.
- ‘(2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

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**‘8 Coordinator to advise Minister of vacancy**

‘The coordinator for the justice group must, as soon as practicable after a member’s office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

**‘9 Term of membership**

‘A member of the justice group holds office for the term—

- (a) starting on the day the member’s nomination takes effect under section 5(4); and
- (b) ending on the day the member’s office becomes vacant under section 7(1).

**‘Part 4 Business and meetings**

**‘10 Conduct of business**

- ‘(1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Aboriginal tradition or Island custom.
- ‘(2) The justice group may only make decisions about business relating to its functions under section 19(1)(a), (c), (d) or (e) of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

**‘11 Times and places of special meetings**

- ‘(1) Special meetings must be held at the times and places the justice group decides.
- ‘(2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

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**‘12 Quorum for special meeting**

‘A quorum for a special meeting of the justice group is 5.

**‘13 Presiding at special meeting**

‘At a special meeting, the member of the justice group chosen by the members present is to preside.

**‘14 Voting at special meeting**

‘A question at a special meeting is to be decided by a majority of the votes of the members voting on the question, and if the votes are equal, the question is decided in the negative.

**‘Schedule 14C Bamaga community justice group**

section 4A

**‘Part 1 Preliminary**

**‘1 Definitions for sch 14C**

‘In this schedule—

*Bamaga community area* means the part of the local government area of NPARC that is within the relevant Bamaga area.

*main indigenous social grouping* means each of the following groups of indigenous persons who live in the Bamaga community area—

- Aboriginal people
- Torres Strait Islanders

[s 16]

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- the historical residents of the Bamaga community area
- the traditional owners of the Bamaga community area.

*special meeting* see section 10(2).

## **‘Part 2                      Name of community justice group**

### **‘2              Name**

‘The name of the community justice group for the Bamaga community area is the Bamaga Mina Kodomir (Proper Voice) Community Justice Group.

## **‘Part 3                      Membership**

### **‘3              Number of members**

‘The justice group comprises at least 5 but not more than 20 members.

### **‘4              Eligibility**

‘A person is eligible to be a member of the justice group if the person is a member of a main indigenous social grouping and lives in the Bamaga community area.

### **‘5              Nomination, and withdrawal of nomination, of members**

- ‘(1) Each main indigenous social grouping must nominate at least 1 person to be a member of the justice group.

- 
- ‘(2) Each person nominated by a main indigenous social grouping must be a member of the grouping.
  - ‘(3) A main indigenous social grouping may, at any time, withdraw a nomination made by it.
  - ‘(4) A main indigenous social grouping must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
  - ‘(5) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
    - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
    - (b) the day stated in the gazette notice.

## **‘6 Notification by Minister**

- ‘(1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- ‘(2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.
- ‘(3) The gazette notice must include the following information—
  - (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person or withdrew the person’s nomination.
- ‘(4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

## **‘7 Vacation of office**

- ‘(1) The office of a member of the justice group becomes vacant if—

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- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member; or
    - (iv) is absent from 5 consecutive meetings of the justice group without the justice group's permission and without reasonable excuse; or
  - (b) the member's nomination is withdrawn under section 5.
- '(2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

#### **'8 Coordinator to advise Minister of vacancy**

'The coordinator for the justice group must, as soon as practicable after a member's office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

#### **'9 Term of membership**

'A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(5); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## **'Part 4 Business and meetings**

#### **'10 Conduct of business**

- '(1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers



appropriate, including, for example, by following Aboriginal tradition or Island custom.

- ‘(2) The justice group may only make decisions about business relating to its functions under section 19(1)(a), (c), (d) or (e) of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

#### **‘11 Times and places of special meetings**

- ‘(1) Special meetings must be held at the times and places the justice group decides.
- ‘(2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

#### **‘12 Quorum for special meeting**

‘A quorum for a special meeting of the justice group is 5.

#### **‘13 Presiding at special meeting**

‘At a special meeting, the member of the justice group chosen by the members present is to preside.

#### **‘14 Voting at special meeting**

‘A question at a special meeting is to be decided by a majority of the votes of the members voting on the question and, if the votes are equal, the question is decided in the negative.

[s 16]

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## **‘Schedule 14D Seisia community justice group**

section 4A

### **‘Part 1 Preliminary**

#### **‘1 Definitions for sch 14D**

‘In this schedule—

*main indigenous social grouping* means the group of Torres Strait Islanders who live in the Seisia community area.

*Seisia community area* means the part of the local government area of NPARC that is within the relevant Seisia area.

*special meeting* see section 10(2).

### **‘Part 2 Name of community justice group**

#### **‘2 Name**

‘The name of the community justice group for the Seisia community area is Ibopuydhan Balbygimaipa Community Justice Group.

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## **‘Part 3                      Membership**

### **‘3            Number of members**

‘The justice group comprises at least 5 but not more than 20 members.

### **‘4            Eligibility**

‘A person is eligible to be a member of the justice group if the person is a member of the main indigenous social grouping.

### **‘5            Nomination, and withdrawal of nomination, of members**

- ‘(1) The main indigenous social grouping must nominate at least 5 persons to be members of the justice group.
- ‘(2) The main indigenous social grouping may, at any time, withdraw a nomination made by it.
- ‘(3) The main indigenous social grouping must advise the Minister of each nomination, or withdrawal of a nomination, made by it.
- ‘(4) A nomination, or withdrawal of a nomination, takes effect on the later of the following—
  - (a) the day the Minister notifies the nomination, or withdrawal of the nomination, by gazette notice under section 6(1) or (2);
  - (b) the day stated in the gazette notice.

### **‘6            Notification by Minister**

- ‘(1) The Minister must, if satisfied a person nominated under section 5(1) is eligible for membership of the justice group, give notice of the nomination by gazette notice.
- ‘(2) Also, the Minister must, by gazette notice, give notice of a withdrawal of a nomination about which the Minister is advised under section 5.

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- ‘(3) The gazette notice must include the following information—
- (a) the name of the person who is nominated or whose nomination is withdrawn;
  - (b) the main indigenous social grouping that nominated the person or withdrew the person’s nomination.
- ‘(4) The Minister may, from time to time by gazette notice, give notice of the members of the justice group and the main indigenous social grouping that nominated each member.

## **‘7 Vacation of office**

- ‘(1) The office of a member of the justice group becomes vacant if—
- (a) the member—
    - (i) dies; or
    - (ii) resigns office by notice given to the coordinator for the justice group; or
    - (iii) ceases to be eligible to be a member; or
    - (iv) is absent from 5 consecutive meetings of the justice group without the justice group’s permission and without reasonable excuse; or
  - (b) the member’s nomination is withdrawn under section 5.
- ‘(2) A notice mentioned in subsection (1)(a)(ii) may be given orally or in writing.

## **‘8 Coordinator to advise Minister of vacancy**

‘The coordinator for the justice group must, as soon as practicable after a member’s office becomes vacant under section 7(1)(a), advise the Minister of the vacancy.

## **‘9 Term of membership**

‘A member of the justice group holds office for the term—

- (a) starting on the day the member's nomination takes effect under section 5(4); and
- (b) ending on the day the member's office becomes vacant under section 7(1).

## **'Part 4                      Business and meetings**

### **'10      Conduct of business**

- '(1) Subject to this part, the justice group may conduct its business, including its meetings, in the way it considers appropriate, including, for example, by following Island custom.
- '(2) The justice group may only make decisions about business relating to its functions under section 19(1)(a), (c), (d) or (e) of the Act at a meeting at which the coordinator for the justice group is present (a *special meeting*).

### **'11      Times and places of special meetings**

- '(1) Special meetings must be held at the times and places the justice group decides.
- '(2) However, the coordinator for the justice group may call a special meeting at any time, and must call a special meeting if asked by a majority of members of the justice group.

### **'12      Quorum for special meeting**

'A quorum for a special meeting of the justice group is 5.

### **'13      Presiding at special meeting**

'At a special meeting, the member of the justice group chosen by the members present is to preside.

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**‘14 Voting at special meeting**

‘A question at a special meeting is to be decided by a majority of the votes of the members voting on the question and, if the votes are equal, the question is decided in the negative.’.

**17 Amendment of sch 16 (Dictionary)**

(1) Schedule 16—

*insert—*

**‘changeover day** means 15 March 2008.

*Note—*

15 March 2008 is the changeover day declared under the *Local Government Act 1993*, section 159YE(2) for all new, adjusted and continuing local government areas listed in schedule 1A of that Act. See the notice published in the gazette on 23 November 2007 at page 1680.’.

(2) Schedule 16, definition *justice group*, after ‘relevant schedule’—

*insert—*

‘or schedules 14 to 14D’.

(3) Schedule 16, definition *relevant schedule*, ‘schedule 15’—

*omit, insert—*

‘schedules 14 to 15’.

**Part 3 Amendment of Electoral Regulation 2002**

**18 Regulation amended in pt 3**

This part amends the *Electoral Regulation 2002*.

**19 Amendment of s 3 (Declaration of restricted information—Act, s 3)**

Section 3(a), ‘and’, second mention—

*omit.*

**20 Amendment of s 4 (Prescribed information for electoral rolls—Act, s 58)**

Section 4(2), first, third, seventh, eighth and ninth dot points—

*omit.*

**21 Insertion of new pt 6, hdg**

After section 8—

*insert—*

**‘Part 6 Transitional provisions’.**

**22 Amendment of s 9 (Transitional provision)**

Section 9, heading, after ‘provision’—

*insert—*

**‘for repeal of 1992 regulation’.**

**23 Insertion of new s 10**

After section 9—

*insert—*

**‘10 Transitional provision for Justice and Other Legislation Amendment Regulation (No. 1) 2008**

‘(1) This section applies if—

- (a) before the commencement, the commission asked a former prescribed entity to give the commission information under section 58(6) of the Act; and

[s 24]

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- (b) at the commencement, the former prescribed entity has not given the information as required under section 58(7) of the Act.
- ‘(2) The former prescribed entity is taken to be a government entity prescribed for section 58(6) of the Act until the entity gives the information to the commission as required under section 58(7) of the Act.
- ‘(3) This section does not limit the *Acts Interpretation Act 1954*, section 20.
- ‘(4) In this section—  
*commencement* means commencement of this section.  
*former prescribed entity* means an entity that—
  - (a) before the commencement was prescribed, under section 4(2), for section 58(6) of the Act; and
  - (b) immediately after the commencement is not prescribed, under section 4(2), for section 58(6) of the Act.’.

**24 Amendment of sch 1 (Model procedures for the conduct of a preselection ballot)**

Schedule 1, section 30(1)(f), at the end of subparagraphs (i) to (viii)—

*insert*—

‘and’.

## **Part 4 Amendment of Jury Regulation 2007**

**25 Regulation amended in pt 4**

This part amends the *Jury Regulation 2007*.



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**26 Amendment of s 5 (Jury districts—Act, s 7)**

(1) Section 5(2)—

*omit, insert—*

‘(2) For schedule 1—

(a) a reference to a District Court district by name is a reference to the district of the District Court of that name under the *District Court of Queensland Act 1967*; and

(b) a reference to a city or shire by name is a reference to the city or shire of that name declared as a local government area under the *Local Government Act 1993* as in force immediately before the changeover day.

‘(2A) The chief executive must keep a copy of each map or area map mentioned in schedule 1 at the department’s head office.

‘(2B) A copy of each map or area map mentioned in schedule 1 can be—

(a) accessed by members of the public, free of charge, on the department’s website on the internet; or

*Editor’s note—*

At the commencement of this subsection, the department’s website was <www.justice.qld.gov.au>.

(b) purchased from any office of the department in which the *Survey and Mapping Infrastructure Act 2003* is administered.’.

(2) Section 5—

*insert—*

‘(6) In this section—

***area map*** means a map or group of maps showing the external boundaries of a local government area of a local government or former local government.

***changeover day*** means 15 March 2008.

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*Note—*

15 March 2008 is the changeover day declared under the *Local Government Act 1993*, section 159YE(2) for all new, adjusted and continuing local government areas listed in schedule 1A of that Act. See the notice published in the gazette on 23 November 2007 at page 1680.’.

## **27 Amendment of sch 1 (Particular jury districts)**

(1) Schedule 1, item 1(a)—

*omit, insert—*

‘(a) Logan City as shown on area map LGB78 edition 9;  
and’.

(2) Schedule 1, item 2—

*omit, insert—*

‘2 Brisbane jury district consists of the following areas, to the extent the areas are within the Brisbane District Court district—

(a) the City of Brisbane as shown on map LGB1 edition 6, sheets 1 to 4;

(b) Pine Rivers Shire as shown on area map LGB104 edition 5;

(c) Redcliffe City as shown on area map LGB108 edition 1;

(d) Redland Shire as shown on area map LGB109 edition 4.’.

(3) Schedule 1, item 6(b)—

*omit, insert—*

‘(b) Cherbourg Shire as shown on area map LGB151 edition 1.’.

(4) Schedule 1, item 7, from ‘other than’ to ‘is outside’—

*omit, insert—*

‘to the extent the area is within’.

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## Part 5 **Amendment of Justices Regulation 2004**

### **28 Regulation amended in pt 5**

This part amends the *Justices Regulation 2004*.

### **29 Insertion of new s 2A**

Part 1—

*insert—*

### **‘2A Definitions**

‘In this regulation—

***area map*** means a map or group of maps showing the external boundaries of a local government area of a local government or former local government.

***Beenleigh-Gold Coast dividing line***, for schedule 1, means the following line—

- from the boundary of the Beaudesert Magistrates Courts District at the north bank of Cedar Creek
- along Cedar Creek to the south-western corner of portion 53, parish of Darlington
- along the southern then eastern boundary of the parish to the north bank of the Pimpama River
- along the north bank of the Pimpama River to the south-eastern corner of portion 77, parish of Pimpama
- then east to South Stradbroke Island.

***Cairns-Cloncurry dividing line***, for schedule 1, means the following line—

- from the boundary of the Mareeba Shire at the north bank of the Staaten River
- along the Staaten River to the river’s north branch
- along the north branch to the Gulf of Carpentaria

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***changeover day*** means 15 March 2008.

*Note—*

15 March 2008 is the changeover day declared under the *Local Government Act 1993*, section 159YE(2) for all new, adjusted and continuing local government areas listed in schedule 1A of that Act. See the notice published in the gazette on 23 November 2007 at page 1680.

***department's website*** means the department's website on the internet.

*Editor's note—*

At the commencement of this definition, the department's website was <[www.justice.qld.gov.au](http://www.justice.qld.gov.au)>.

***Mareeba Shire*** means the former Mareeba Shire under the *Local Government Act 1993* as shown on area map LGB81 edition 2.

*Note—*

The area map can be—

- (a) accessed by members of the public, free of charge, on the department's website; or
- (b) purchased from any office of the department in which the *Survey and Mapping Infrastructure Act 2003* is administered.'.

**30 Amendment of s 16 (Magistrates Courts districts, divisions of Brisbane district, and places for holding courts—Act, s 22B)**

Section 16—

*insert—*

- '(3) Also, for schedule 1, a reference to a city, shire or town by name is a reference to the city, shire or town of that name declared as a local government area under the *Local Government Act 1993* as in force immediately before the changeover day.
- '(4) The chief executive must keep a copy of each map or area map mentioned in schedule 1 at the department's head office.

- 
- ‘(5) A copy of each map or area map mentioned in schedule 1 can be—
- (a) accessed by members of the public, free of charge, on the department’s website; or
  - (b) purchased from any office of the department in which the *Survey and Mapping Infrastructure Act 2003* is administered.’.

**31 Amendment of pt 7, hdg (Transitional provision)**

Part 7, heading, after ‘provision’—

*insert—*

**‘for repeals’.**

**32 Insertion of new pt 9**

After section 21—

*insert—*

**‘Part 9 Transitional provision for other matters**

**‘22 Transitional provision for Justice and Other Legislation Amendment Regulation (No. 1) 2008**

- ‘(1) This section applies if—
- (a) an amendment of schedule 1 commencing at the commencement of this section has the result of changing the district of the Magistrates Court within which an area, or part of an area, is located; and
  - (b) a person has started proceedings in a Magistrates Court, the District Court or the Supreme Court on the basis of the area, or part, being in the district it was in before the commencement.
- ‘(2) The proceedings must continue as if the amendment of schedule 1 had not been made.

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- ‘(3) For subsection (2)—
  - (a) the relevant court must deal with the proceedings as if the amendment of schedule 1 had not been made; and
  - (b) nothing relating to the proceedings is affected by the amendment of schedule 1.
- ‘(4) This section does not limit the *Acts Interpretation Act 1954*, section 20.’.

**33 Amendment of sch 1 (Magistrates Courts districts and places for holding courts)**

- (1) Schedule 1, section 1(2)—  
*omit, insert—*
- ‘(2) The area of the district is Beaudesert Shire as shown on area map LGB12 edition 4.’.
- (2) Schedule 1, section 2(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of the following areas—
  - (a) Logan City as shown on area map LGB78 edition 9;
  - (b) the area that is—
    - (i) within Gold Coast City as shown on area map LGB58 edition 7; and
    - (ii) north of the Beenleigh-Gold Coast dividing line.’.
- (3) Schedule 1, section 3(2)—  
*omit, insert—*
- ‘(2) The area of the district is Bowen Shire as shown on area map LGB20 edition 2.’.
- (4) Schedule 1, section 4(2)—  
*omit, insert—*

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- ‘(2) The area of the district is the City of Brisbane as shown on map LGB1 edition 6, sheets 1 to 4.’.
- (5) Schedule 1, section 4, ‘Inala division’—  
*omit, insert*—  
‘Richlands division’.
- (6) Schedule 1, section 5(2)—  
*omit, insert*—
- ‘(2) The area of the district is the area consisting of the following—
- Bundaberg City as shown on area map LGB23 edition 2
  - Burnett Shire as shown on area map LGB59 edition 2
  - Isis Shire as shown on area map LGB67 edition 1
  - Kolan Shire as shown on area map LGB75 edition 1
  - Miriam Vale Shire as shown on area map LGB87 edition 1
  - Perry Shire as shown on area map LGB103 edition 1.’.
- (7) Schedule 1, section 6(2)—  
*omit, insert*—
- ‘(2) The area of the district is the area consisting of the following—
- Caboolture Shire as shown on area map LGB27 edition 4
  - Pine Rivers Shire as shown on area map LGB104 edition 5.’.
- (8) Schedule 1, section 6(3), ‘and Petrie’—  
*omit, insert*—  
‘, Petrie and Strathpine’.
- (9) Schedule 1, section 7(2)—  
*omit, insert*—

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- ‘(2) The area of the district is the area consisting of—
- (a) the following—
- Atherton Shire as shown on area map LGB5 edition 1
  - Cairns City as shown on area map LGB28 edition 3
  - Croydon Shire as shown on area map LGB41 edition 1
  - Douglas Shire as shown on area map LGB45 edition 2
  - Eacham Shire as shown on area map LGB47 edition 1
  - Etheridge Shire as shown on area map LGB51 edition 1
  - Herberton Shire as shown on area map LGB61 edition 1
  - Kowanyama Shire as shown on area map LGB155 edition 1
  - Mareeba Shire as shown on area map LGB81 edition 2
  - Pormpuraaw Shire as shown on area map LGB161 edition 1
  - Yarrabah Shire as shown on area map LGB165 edition 1; and
- (b) the area that is—
- (i) within Carpentaria Shire as shown on area map LGB33 edition 3; and
- (ii) north of the Cairns-Cloncurry dividing line.’
- (10) Schedule 1, section 7(3)—
- insert—*
- Mount Garnett’.



(11) Schedule 1, section 8(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Murweh Shire as shown on area map LGB97 edition 2
- Quilpie Shire as shown on area map LGB107 edition 2
- Tambo Shire as shown on area map LGB117 edition 2.’.

(12) Schedule 1, section 9(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Charters Towers City as shown on area map LGB34 edition 2
- Dalrymple Shire as shown on area map LGB43 edition 5.’.

(13) Schedule 1, section 10(2)—

*omit, insert—*

‘(2) The area of the district is Belyando Shire as shown on area map LGB13 edition 2.’.

(14) Schedule 1, section 11(2)—

*omit, insert—*

‘(2) The area of the district is Redland Shire as shown on area map LGB109 edition 4.’.

(15) Schedule 1, section 12(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of—

(a) the following—

- Cloncurry Shire as shown on area map LGB37 edition 2

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- McKinlay Shire as shown on area map LGB84 edition 1; and
- (b) the area that is—
- (i) within Carpentaria Shire as shown on area map LGB33 edition 3; and
  - (ii) south of the Cairns-Cloncurry dividing line.’.
- (16) Schedule 1, section 13(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of—
- (a) the following—
    - Aurukun Shire as shown on area map LGB6 edition 1
    - Cook Shire as shown on area map LGB38 edition 3
    - Hope Vale Shire as shown on area map LGB 153 edition 1
    - Lockhart River Shire as shown on area map LGB156 edition 1
    - Mapoon Shire as shown on area map LGB157 edition 1
    - Napranum Shire as shown on area map LGB158 edition 1
    - Wujal Wujal Shire as shown on area map LGB164 edition 1; and
  - (b) the Weipa Town Area—
    - (i) excluded from Cook Shire under the agreement made under the *Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957*; and
    - (ii) shown on area map LGB38 edition 3.’.
- (17) Schedule 1, section 14(2)—  
*omit, insert—*

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‘(2) The area of the district is the area consisting of the following—

- Bulloo Shire as shown on area map LGB22 edition 1
- Paroo Shire as shown on area map LGB101 edition 1.’.

(18) Schedule 1, section 15(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Chinchilla Shire as shown on area map LGB35 edition 1
- Dalby Town as shown on area map LGB42 edition 1
- Murilla Shire as shown on area map LGB96 edition 2
- Tara Shire as shown on area map LGB118 edition 2
- Taroom Shire as shown on area map LGB119 edition 1
- Wambo Shire as shown on area map LGB126 edition 1.’.

(19) Schedule 1, section 16(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Bauhinia Shire as shown on area map LGB11 edition 3
- Duaringa Shire as shown on area map LGB46 edition 2
- Emerald Shire as shown on area map LGB49 edition 1
- Peak Downs Shire as shown on area map LGB102 edition 1
- Woorabinda Shire as shown on area map LGB163 edition 1.’.

(20) Schedule 1, section 16(3)—

*insert—*

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- Springsure’.
- (21) Schedule 1, section 17(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of the following—
- Calliope Shire as shown on area map LGB29 edition 2
  - Gladstone City as shown on area map LGB56 edition 1.’.
- (22) Schedule 1, section 18(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area that is—
- (a) within Gold Coast City as shown on area map LGB58 edition 7; and
  - (b) south of the Beenleigh-Gold Coast dividing line.’.
- (23) Schedule 1, section 19(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of the following—
- Balonne Shire as shown on area map LGB7 edition 1
  - Goondiwindi Town as shown on area map LGB60 edition 1
  - Waggamba Shire as shown on area map LGB125 edition 2.’.
- (24) Schedule 1, section 20(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of the following—
- Cooloola Shire as shown on area map LGB39 edition 4
  - Kilkivan Shire as shown on area map LGB73 edition 3.’.
- (25) Schedule 1, section 20A(2)—

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*omit, insert—*

‘(2) The area of the district is Hervey Bay City as shown on area map LGB62 edition 4.’.

(26) Schedule 1, section 21(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Flinders Shire as shown on area map LGB53 edition 1
- Richmond Shire as shown on area map LGB110 edition 1.’.

(27) Schedule 1, section 22(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Cardwell Shire as shown on area map LGB32 edition 1
- Johnstone Shire as shown on area map LGB70 edition 2.’.

(28) Schedule 1, section 23(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Boonah Shire as shown on area map LGB17 edition 5
- Esk Shire as shown on area map LGB50 edition 5
- Gatton Shire as shown on area map LGB54 edition 4
- Ipswich City as shown on area map LGB66 edition 7
- Kilcoy Shire as shown on area map LGB72 edition 1
- Laidley Shire as shown on area map LGB76 edition 4.’.

(29) Schedule 1, section 24(2)—

*omit, insert—*

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‘(2) The area of the district is the area consisting of the following—

- Cherbourg Shire as shown on area map LGB151 edition 1
- Kingaroy Shire as shown on area map LGB74 edition 1
- Murgon Shire as shown on area map LGB95 edition 3
- Nanango Shire as shown on area map LGB98 edition 1
- Wondai Shire as shown on area map LGB131 edition 2.’.

(30) Schedule 1, section 25(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Aramac Shire as shown on area map LGB4 edition 1
- Barcaldine Shire as shown on area map LGB9 edition 1
- Barcoo Shire as shown on area map LGB10 edition 2
- Blackall Shire as shown on area map LGB16 edition 2
- Ilfracombe Shire as shown on area map LGB64 edition 1
- Isisford Shire as shown on area map LGB68 edition 1
- Jericho Shire as shown on area map LGB69 edition 1
- Longreach Shire as shown on area map LGB79 edition 1
- Winton Shire as shown on area map LGB129 edition 1.’.

(31) Schedule 1, section 26(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Broadsound Shire as shown on area map LGB21 edition 1
- Mackay City as shown on area map LGB80 edition 5

- 
- Mirani Shire as shown on area map LGB86 edition 2
  - Nebo Shire as shown on area map LGB99 edition 2
  - Sarina Shire as shown on area map LGB115 edition 2
  - Whitsunday Shire as shown on area map LGB130 edition 1.’.
- (32) Schedule 1, section 27(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of the following—
- Caloundra City as shown on area map LGB30 edition 5
  - Maroochy Shire as shown on area map LGB82 edition 10
  - Noosa Shire as shown on area map LGB100 edition 8.’.
- (33) Schedule 1, section 28(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of the following—
- Biggenden Shire as shown on area map LGB15 edition 1
  - Eidsvold Shire as shown on area map LGB48 edition 1
  - Gayndah Shire as shown on area map LGB55 edition 1
  - Maryborough Shire as shown on area map LGB83 edition 4
  - Mundubbera Shire as shown on area map LGB94 edition 1
  - Tiaro Shire as shown on area map LGB121 edition 2
  - Woocoo Shire as shown on area map LGB132 edition 1.’.
- (34) Schedule 1, section 29(2)—  
*omit, insert—*

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- ‘(2) The area of the district is the area consisting of—
- (a) the following—
- Boulia Shire as shown on area map LGB19 edition 2
  - Burke Shire as shown on area map LGB26 edition 2
  - Diamantina Shire as shown on area map LGB44 edition 1
  - Doomadgee Shire as shown on area map LGB152 edition 1
  - Mornington Shire as shown on area map LGB90 edition 1
  - Mount Isa City as shown on area map LGB91 edition 2; and
- (b) Bountiful Islands; and
- (c) Sweers Island.’.
- (35) Schedule 1, section 30(2)—  
*omit, insert—*
- ‘(2) The area of the district is Redcliffe City as shown on area map LGB108 edition 1.’.
- (36) Schedule 1, section 31(2)—  
*omit, insert—*
- ‘(2) The area of the district is the area consisting of the following—
- Banana Shire as shown on area map LGB8 edition 3
  - Fitzroy Shire as shown on area map LGB52 edition 1
  - Livingstone Shire as shown on area map LGB77 edition 1
  - Monto Shire as shown on area map LGB88 edition 2
  - Mount Morgan Shire as shown on area map LGB92 edition 1



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- Rockhampton City as shown on area map LGB111 edition 3.’.
- (37) Schedule 1, section 31(3)—  
*insert—*  
‘• Monto’.
- (38) Schedule 1, section 32(2)—  
*omit, insert—*  
‘(2) The area of the district is the area consisting of the following—
- Bendemere Shire as shown on area map LGB14 edition 2
  - Booringa Shire as shown on area map LGB18 edition 2
  - Bungil Shire as shown on area map LGB24 edition 1
  - Roma Town as shown on area map LGB112 edition 1
  - Warroo Shire as shown on area map LGB128 edition 2.’.
- (39) Schedule 1, section 33(2)—  
*omit, insert—*  
‘(2) The area of the district is Stanthorpe Shire as shown on area map LGB116 edition 1.’.
- (40) Schedule 1, section 34(2)—  
*omit, insert—*  
‘(2) The area of the district is the area consisting of the following—
- Injinoo Shire as shown on area map LGB154 edition 1
  - New Mapoon Shire as shown on area map LGB159 edition 1
  - Torres Shire as shown on area map LGB123 edition 4
  - Umagico Shire as shown on area map LGB162 edition 1.’.
- (41) Schedule 1, section 34(3), from ‘district’—

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*omit, insert—*

‘district are—

- Badu Island
- Bamaga
- Boigu Island
- Darnley Island (also known as Erub Island)
- Mer Island (also known as Murray Island)
- Moa Island
- Saibai Island (also known as Kumag Island)
- Thursday Island
- Warraber Island (also known as Sue Island)
- Yam Island
- Yorke Island (also known as Masig Island).’.

(42) Schedule 1, section 35(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Cambooya Shire as shown on area map LGB31 edition 4
- Crows Nest Shire as shown on area map LGB40 edition 4
- Jondaryan Shire as shown on area map LGB71 edition 2
- Millmerran Shire as shown on area map LGB85 edition 2
- Pittsworth Shire as shown on area map LGB106 edition 3
- Rosalie Shire as shown on area map LGB113 edition 2
- Toowoomba City as shown on area map LGB122 edition 1.’.

(43) Schedule 1, section 35(3), from ‘are’—

*omit, insert—*

‘are—

- Oakey
- Millmerran
- Pittsworth
- Toowoomba.’.

(44) Schedule 1, section 36(2)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Burdekin Shire as shown on area map LGB25 edition 1
- Hinchinbrook Shire as shown on area map LGB63 edition 2
- Palm Island Shire as shown on area map LGB160 edition 1
- Thuringowa City as shown on area map LGB120 edition 2
- Townsville City as shown on area map LGB124 edition 5.’.

(45) Schedule 1, section 37(2) and (3)—

*omit, insert—*

‘(2) The area of the district is the area consisting of the following—

- Clifton Shire as shown on area map LGB36 edition 2
- Inglewood Shire as shown on area map LGB65 edition 1
- Warwick Shire as shown on area map LGB127 edition 4.

‘(3) The places for holding Magistrates Courts in the district are—

- Inglewood

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- Warwick.’.
- (46) Schedule 1, sections 20A to 37—  
*renumber* as schedule 1, sections 21 to 38.

## **Part 6                                  Amendment of State Penalties Enforcement Regulation 2000**

### **34            Regulation amended in pt 6**

This part amends the *State Penalties Enforcement Regulation 2000*.

### **35            Amendment of pt 3, hdg (Infringement notice offences etc. for local laws and by-laws)**

Part 3, heading, ‘and by-laws’—  
*omit*.

### **36            Omission of s 11 (Definition for pt 3)**

Section 11—  
*omit*.

### **37            Amendment of s 12 (Infringement notice offences and fines for local law or by-law)**

Section 12, ‘or by-law’—  
*omit*.

### **38            Amendment of s 13 (Administering authority for local law or by-law)**

- (1) Section 13, heading, ‘or by-law’—

*omit.*

(2) Section 13(2)—

*omit.*

**39 Amendment of s 14 (Authorised person for infringement notice for offence against local law or minor traffic offence or offence against by-law)**

(1) Section 14, heading, ‘or offence against by-law’—

*omit.*

(2) Section 14(2)—

*omit.*

**40 Amendment of sch 6 (Dictionary)**

Schedule 6, definition *by-law*—

*omit.*

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ENDNOTES

- 1 Made by the Governor in Council on 6 March 2008.
- 2 Notified in the gazette on 7 March 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.