

[s 1]

1 Short title

This rule may be cited as the *Criminal Practice Amendment Rule 2020*.

2 Rules amended

This rule amends the *Criminal Practice Rules 1999*.

3 Amendment of r 13 (Forms generally)

Rule 13—

insert—

- (4) A reference in a form in schedule 4A to a section is a reference to that section of the *Peace and Good Behaviour Act 1982*.

4 Amendment of sch 3 (Forms for indictments, informations and complaints—statement of offences under the Code)

(1) Schedule 3—

insert—

Form 16 Disturbing the legislature

(Section 56. Disturbing the Legislature)

- 1 Intentionally disturbed the Legislative Assembly while in session.
- 2 Intentionally committed disorderly conduct in the immediate view and presence of the Legislative Assembly, while in session, tending to interrupt its proceedings (*or* to impair the respect due to its authority).

(2) Schedule 3—

insert—

Form 19**False evidence before
Parliament****(Section 57. False evidence before Parliament)**

Knowingly gave a false answer to a lawful and relevant question put to him (*or her*) during an examination before the Legislative Assembly (*or a committee of the Legislative Assembly*), namely [*state substance of false answer*].

Form 20**Failing to attend (*or*
answer question *or*
produce document (*or*
other thing)) before
Legislative Assembly (*or*
authorised committee)****(Section 58. Witness refusing to attend, answer question or produce a thing before Legislative Assembly or authorised committee)**

- 1 Failed to attend before the Legislative Assembly (*or an authorised committee of the Legislative Assembly*) as required under section 29 (*or section 30(4)*) of the *Parliament of Queensland Act 2001*.
- 2 Failed to answer a question asked by (*or produce a document (or other thing) to*) the Legislative Assembly (*or an authorised committee of the Legislative Assembly*) as required under section 32(6) (*or section 33(8)*) of the *Parliament of Queensland Act 2001*.
 - (3) Schedule 3, forms 21 and 25—
omit.
 - (4) Schedule 3, form 33—
omit, insert—

Form 33 Affray

(Section 72. Affray)

Took part in a fight in a public place (*or* Took part in a fight of such a nature as to alarm the public in [*state the place*] to which the public had access).

And AB committed the offence in a public place, within the meaning of the *Penalties and Sentences Act 1992*, section 108A, while adversely affected by an intoxicating substance.

(5) Schedule 3, after form 36—

insert—

**Form 37 Recruiting person to
become participant in
criminal organisation**

(Section 76. Recruiting person to become participant in criminal organisation)

Being a participant in a criminal organisation (*or* subject to a control order) (*or* subject to a registered corresponding control order), recruited (*or* attempted to recruit) EF to become (*or* associate with) a participant in a criminal organisation.

Chapter 9A Consorting

**Form 37A Habitually consorting with
recognised offenders**

(Section 77B. Habitually consorting with recognised offenders)

Habitually consorted with EF and GH, each of whom was a recognised offender on the relevant occasions, and at least 1 occasion on which AB consorted with each recognised offender happened after AB was given an official warning for consorting in relation to that offender, and AB, EF and GH were adults on the relevant occasions.

- (6) Schedule 3, part 3, heading, after ‘justice’—

insert—

, against office

- (7) Schedule 3, chapter 12, heading—

omit, insert—

Chapter 12 Unlawfully obtaining or disclosing information

- (8) Schedule 3, after form 42—

insert—

Form 42A Obtaining (or Disclosing) secret information about identity of informant

(Section 86. Obtaining of or disclosure of secret information about the identity of informant)

- 1 Obtained (*or* Attempted to obtain), without lawful justification or excuse, secret information in the possession of a law enforcement agency, namely [*state the agency*] (*or* EF, a law enforcement officer) about the identity of a criminal organisation informant.

[s 4]

- 2 Published (*or* Communicated), without lawful justification or excuse, secret information in the possession of (*or* obtained from) a law enforcement agency, namely [*state the agency*] (*or* EF, a law enforcement officer) about the identity of a criminal organisation informant.
- (9) Schedule 3, form 54, heading, ‘(*or* Brisbane City Council)’—
omit.
- (10) Schedule 3, form 54, ‘False and misleading’—
omit, insert—
- False or misleading**
- (11) Schedule 3, forms 54A, 54B, 54C and 54E, ‘(*or* Brisbane City Council)’—
omit.
- (12) Schedule 3, form 74A—
omit, insert—

Form 74A

**Retaliation against (*or*
Intimidation of) a (family
member of a) judicial
officer (*or* juror *or* witness
or member of a community
justice group)**

(Section 119B. Retaliation against or intimidation of judicial officer, juror, witness etc.)

Caused (*or* Threatened to cause) an injury (*or* detriment) to EF, a judicial officer (*or* a juror *or* a witness *or* a member of a community justice group) (*or* MN, a member of the family of EF, a judicial officer (*or* a juror *or* a witness *or* a member of a community justice group)), without reasonable cause, for the purpose of retaliation (*or* intimidation) because EF, as a judicial officer (*or* a juror *or* a witness *or* a member of a community justice group), [*describe the thing lawfully done or omitted to be done or that may have been lawfully done etc.*].

And the act was done in relation to a proceeding before a court for a prescribed offence charged with the circumstance of aggravation stated in the *Penalties and Sentences Act 1992*, section 161Q.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(13) Schedule 3, form 92—

omit.

(14) Schedule 3, after form 110—

insert—

Form 110A Contravening order about device information from digital device

(Section 205A. Contravening order about device information from digital device)

[s 4]

- 1 Contravened, without reasonable excuse, an order made under the *Police Powers and Responsibilities Act 2000*, section 154(1) (*or* (2)) (*or* 154A(2) *or* 178A(1)).
- 2 Contravened, without reasonable excuse, an order made under the *Crime and Corruption Act 2001*, section 88A(1) (*or* (2)) (*or* 88B(2)).
 - (15) Schedule 3, form 116, heading, ‘18 (under 16 *or*’—
omit, insert—
16 (*or*
 - (16) Schedule 3, form 116, item 1—
omit.
 - (17) Schedule 3, form 116, items 2 and 3, after ‘years.’—
insert—

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).
 - (18) Schedule 3, form 116, items 2 and 3—
renumber as schedule 3, form 116, items 1 and 2.
 - (19) Schedule 3, forms 121A and 122—
omit, insert—

**Form 121A Using electronic
communication to procure
a child under 16 (*or* under
12)**

(Section 218A. Using internet etc. to procure children under 16)

Being an adult, used electronic communication with intent to procure EF, a person under 16 years (*or* a person AB believed was under 16 years) to engage in a sexual act.

And EF was under 12 years (*or* AB believed EF was under 12 years).

And AB intentionally met EF (*or* went to a place with the intention of meeting EF).

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

Form 121B Grooming a child under 16**(Section 218B. Grooming children under 16)**

- 1 Being an adult, engaged in conduct in relation to EF, a person under 16 years (*or* a person AB believed was under 16 years) with intent to facilitate the procurement of EF to engage in a sexual act.

And EF was under 12 years (*or* AB believed EF was under 12 years).

[s 4]

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

- 2 Being an adult, engaged in conduct in relation to EF, a person under 16 years (*or* a person AB believed was under 16 years) with intent to expose, without legitimate reason, EF to indecent matter.

And EF was under 12 years (*or* AB believed EF was under 12 years).

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

Form 122

Taking a child under 16 (*or* under 12) for immoral purposes

(Section 219. Taking child for immoral purposes)

- 1 Took (*or* Enticed away *or* Detained) EF, a child under 16 years, (*and* who was not AB's husband (*or* AB's wife)), for the purpose of a person unlawfully and indecently dealing with EF (*or* [*describe the offence in section 210*]).

And EF was under 12 years.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

- 2 Took (*or* Enticed away *or* Detained) EF, a child under 16 years, (*and* who was not AB's husband (*or* AB's wife)), for the purpose of a person having (*or* attempting to have) unlawful carnal knowledge of EF.

And EF was under 12 years.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

- (20) Schedule 3—

insert—

Form 124A Distributing intimate image

(Section 223. Distributing intimate images)

[s 4]

Distributed an intimate image of EF, without EF's consent, in a way that would cause EF distress reasonably arising in all the circumstances.

(21) Schedule 3, forms 125 to 127—

omit.

(22) Schedule 3, forms 129A to 129D, after 'material.'—

insert—

And AB used a hidden network (*or* an anonymising service) in committing the offence.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(23) Schedule 3—

insert—

Form 129E

Administering child exploitation material website

(Section 228DA. Administering child exploitation material website)

Administered a website AB knew was used to distribute child exploitation material.

And AB used a hidden network (*or* an anonymising service) in committing the offence.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

Form 129F Encouraging use of child exploitation material website

(Section 228DB. Encouraging use of child exploitation material website)

Knowing a website was used to distribute child exploitation material, distributed information to encourage someone (*or* EF) to use the website (*or* to advertise (*or* to promote) the website to someone (*or* EF)).

And AB used a hidden network (*or* an anonymising service) in committing the offence.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

**Form 129G Distributing information
about avoiding detection**

(Section 228DC. Distributing information about avoiding detection)

Distributed information about how to avoid detection of (*or* prosecution for) conduct that involved the commission of a child exploitation material offence.

And AB used a hidden network (*or* an anonymising service) in committing the offence.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(24) Schedule 3—

insert—

**Form 130A Threat to distribute
intimate image (*or*
prohibited visual
recording)**

**(Section 229A. Threats to distribute intimate image or prohibited
visual recording)**

-
- 1 Made a threat to EF to distribute an intimate image (*or* a prohibited visual recording) of EF, without EF's consent and in a way that would cause EF distress reasonably arising in all the circumstances, and the threat was made in a way that would cause EF fear, reasonably arising in all the circumstances, of the threat being carried out.
 - 2 Made a threat to EF to distribute an intimate image (*or* a prohibited visual recording) of GH, without GH's consent and in a way that would cause EF (*or* GH) distress reasonably arising in all the circumstances, and the threat was made in a way that would cause EF fear, reasonably arising in all the circumstances, of the threat being carried out.
 - (25) Schedule 3, form 131, '(or 18)'—
omit.
 - (26) Schedule 3, form 131, after '*form*].'—
insert—

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
 - (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).
- (27) Schedule 3, before form 132—
insert—

Form 131A

Obtaining prostitution from person who is not an adult

(Section 229FA. Obtaining prostitution from person who is not an adult)

Obtained prostitution from EF, who was not an adult, and AB knew (*or* ought reasonably to have known) that EF was not an adult.

And EF was under 16 years.

(28) Schedule 3, form 132, after ‘Procuring’—

insert—

engagement in

(29) Schedule 3, form 132, item 1, after ‘prostitution.’—

insert—

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(30) Schedule 3, form 132, item 2, after ‘mind).’—

insert—

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(31) Schedule 3—
insert—

**Form 132A Carrying on business of
providing unlawful
prostitution**

**(Section 229HB. Carrying on business of providing unlawful
prostitution)**

Knowingly carried on the business of providing unlawful prostitution.

And AB knew that EF, who was not an adult (*or* was a person with an impairment of the mind), engaged in the provision of the prostitution.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

**Form 132B Engaging in (*or* Obtaining)
prostitution through
unlawful prostitution
business**

**(Section 229HC. Persons engaging in or obtaining prostitution
through unlawful prostitution business)**

[s 4]

- 1 Engaged in prostitution through a business suspected on reasonable grounds of providing unlawful prostitution.

And AB had on [date] at [place] been previously convicted of [set out substance and effect of previous conviction].

- 2 Without reasonable excuse, obtained prostitution through a business suspected on reasonable grounds of providing unlawful prostitution.

And AB had on [date] at [place] been previously convicted of [set out substance and effect of previous conviction].

- (32) Schedule 3, form 133, heading, ‘aggravation’—
omit, insert—

aggravation)

- (33) Schedule 3, form 133, after ‘the prostitution.’—
insert—

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
(b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

- (34) Schedule 3, form 144, ‘Improperly (*or* Indecently)’—
omit, insert—

Without lawful justification or excuse,
improperly (*or* indecently)

- (35) Schedule 3, chapter 25—
omit, insert—

Chapter 25 Cruelty to animals

Form 149

Serious animal cruelty

(Section 242. Serious animal cruelty)

With the intention of inflicting severe pain (*or* suffering), unlawfully killed (*or* caused serious injury to) (*or* caused prolonged suffering to) an animal.

- (36) Schedule 3, part 5, heading, ‘and against the reputation of individuals’—

omit.

- (37) Schedule 3, after form 158—

insert—

Chapter 28A Unlawful striking causing death

Form 158A Unlawful striking causing death

(Section 314A. Unlawful striking causing death)

Unlawfully struck EF to the head (*or* neck) causing the death of EF.

[s 4]

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(38) Schedule 3—

insert—

**Form 159A Choking (*or* Suffocation *or*
Strangulation) in a
domestic setting**

(Section 315A. Choking, suffocation or strangulation in a domestic setting)

Unlawfully, and without EF's consent, choked (*or* suffocated *or* strangled) EF, and AB was, at the relevant time, in a domestic relationship with EF (*or* the choking (*or* the suffocation *or* the strangulation) was associated domestic violence under the *Domestic and Family Violence Protection Act 2012*).

(39) Schedule 3—

insert—

**Form 165 Termination of pregnancy
performed (*or* whose
performance is assisted)
by unqualified person**

(Section 319A. Termination of pregnancy performed by unqualified person)

- 1 AB, being an unqualified person, performed a termination on a woman, EF.
- 2 AB, being an unqualified person, assisted in the performance of a termination on a woman, EF.

(40) Schedule 3, form 166, after ‘EF.’—

insert—

And AB committed the offence in a public place, within the meaning of the *Penalties and Sentences Act 1992*, section 108A, while adversely affected by an intoxicating substance.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(41) Schedule 3, form 192, after ‘person(s).’—

insert—

And AB committed the offence in a public place, within the meaning of the *Penalties and Sentences Act 1992*, section 108A, while adversely affected by an intoxicating substance.

[s 4]

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(42) Schedule 3, form 193—

omit, insert—

Form 193 Serious assault

(Section 340. Serious assaults)

- 1 Assaulted EF with intent to commit a crime (*or* with intent to resist (*or* prevent) the lawful arrest (*or* detention) of AB (*or* of MN)).
- 2 Assaulted (*or* Resisted *or* Wilfully obstructed) EF, a police officer (*or* GH, who was acting in aid of EF, a police officer), while EF was acting in the execution of EF's duty.

And AB bit (*or* spat on) EF.

And AB threw at (*or* applied to) EF a bodily fluid (*or* faeces).

And AB caused bodily harm to EF.

And AB was (*or* pretended to be) armed with a dangerous (*or* offensive) weapon (*or* instrument).

And AB committed the offence in a public place, within the meaning of the *Penalties and Sentences Act 1992*, section 108A, while adversely affected by an intoxicating substance.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

- 3 Unlawfully assaulted EF, while EF was performing a duty imposed on EF by law, namely [*describe duty*].
- 4 Assaulted EF, because EF had performed a duty imposed on EF by law, namely [*describe duty*].
- 5 Assaulted EF, in pursuance of an unlawful conspiracy respecting the [*describe the manufacture, trade, business or occupation*] (*or* respecting GH, who was concerned (*or* employed) in the [*describe the manufacture, trade, business or occupation*]) (*or* respecting the wages of GH who was concerned (*or* employed) in the [*describe the manufacture, trade, business or occupation*]).
- 6 Unlawfully assaulted EF, who was 60 years (*or* more than 60 years).
- 7 Unlawfully assaulted EF, who relied on a guide dog (*or* hearing dog *or* assistance dog *or* wheelchair *or* [*describe the remedial device*]).
- 8 Being a prisoner, unlawfully assaulted EF, a working corrective services officer.

And AB bit (*or* spat on) EF.

And AB threw at (*or* applied to) EF a bodily fluid (*or* faeces).

And AB caused bodily harm to EF.

And AB was (*or* pretended to be) armed with a dangerous (*or* offensive) weapon (*or* instrument).

- 9 Unlawfully assaulted (*or* Resisted *or* Wilfully obstructed) EF, a public officer, while EF was performing a function of EF's office, namely [*describe function*].

[s 4]

And AB bit (*or spat on*) EF.

And AB threw at (*or applied to*) EF a bodily fluid (*or faeces*).

And AB caused bodily harm to EF.

And AB was (*or pretended to be*) armed with a dangerous (*or offensive*) weapon (*or instrument*).

And AB committed the offence in a public place, within the meaning of the *Penalties and Sentences Act 1992*, section 108A, while adversely affected by an intoxicating substance.

- 10 Assaulted EF, a public officer, because EF had performed a function of EF's office, namely [*describe function*].

And AB bit (*or spat on*) EF.

And AB threw at (*or applied to*) EF a bodily fluid (*or faeces*).

And AB caused bodily harm to EF.

And AB was (*or pretended to be*) armed with a dangerous (*or offensive*) weapon (*or instrument*).

And AB committed the offence in a public place, within the meaning of the *Penalties and Sentences Act 1992*, section 108A, while adversely affected by an intoxicating substance.

(43) Schedule 3, form 204, after paragraph (c)—

insert—

And the threat was made to EF, a law enforcement officer (*or GH, a person helping EF, a law enforcement officer*) when (*or because*) EF was investigating the activities of a criminal organisation.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(44) Schedule 3, after form 204—

insert—

Chapter 33A Unlawful stalking

(45) Schedule 3, form 205, ‘Unlawful’—

omit, insert—

Punishment of unlawful

(46) Schedule 3, form 205, after ‘[*date*].’—

insert—

And 1 (*or* [*state number*]) of the acts constituting the unlawful stalking was (*or* were) done against EF, a law enforcement officer, when (*or* because) EF was investigating the activities of a criminal organisation.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

[s 4]

(47) Schedule 3, form 229—

insert—

3 Stole [*describe thing stolen*], the property of EF, in an area that was (*or was, immediately before the offence was committed*), a declared area for a disaster situation under the *Disaster Management Act 2003*.

(48) Schedule 3, form 241, heading, ‘\$30000’—

omit, insert—

\$30,000

(49) Schedule 3, form 241, items 1 to 9, ‘(*or member of the governing body*)’—

omit, insert—

(*or officer*)

(50) Schedule 3, form 241, items 1 and 2, ‘\$30000 (*or more than \$30000*)’—

omit, insert—

at least \$30,000 but less than \$100,000 (*or at least \$100,000*)

(51) Schedule 3, form 241, items 3 to 9, ‘\$30000 (*or of more than \$30000*)’—

omit, insert—

at least \$30,000 but less than \$100,000 (*or at least \$100,000*)

(52) Schedule 3, form 241, items 1 to 9, after ‘*value*].’—

insert—

And AB carried on the business of committing the offence.

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(53) Schedule 3, form 242—

omit, insert—

Form 242 Obtaining (*or* Dealing with) identification information

(Section 408D. Obtaining or dealing with identification information)

- 1 Obtained (*or* Dealt with) EF's identification information for the purpose of committing (*or* facilitating the commission of) an indictable offence, namely [*state offence*].

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

[s 4]

- 2 Possessed equipment for the purpose of obtaining (*or* dealing with) EF's identification information (*or* facilitating the obtaining of (*or* dealing with) EF's identification information)) for the purpose of committing (*or* facilitating the commission of) an indictable offence, namely [*state offence*].

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(54) Schedule 3, form 262—

omit, insert—

Form 262 Receiving tainted property

(Section 433. Receiving tainted property)

(Section 568(4). Cases in which several charges may be joined)

Received tainted property, and had reason to believe it was tainted property.

And AB obtained the property by way of an act constituting a crime, namely [*state the act*].

And the property is a firearm (*or* ammunition).

And AB received the property while acting as a pawnbroker (*or* dealer in second hand goods).

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

(55) Schedule 3, after form 276—

insert—

Chapter 43 Match-fixing

Form 276A Engaging in match-fixing conduct

(Section 443A. Engaging in match-fixing conduct)

Engaged in match-fixing conduct in relation to a sporting event, namely [*state the event*] (*or* the happening of a sporting contingency, namely [*state the contingency*]) for the purpose of obtaining (*or* receiving) a pecuniary benefit for AB (*or* EF) (*or* causing a pecuniary detriment to EF).

Form 276B Facilitating match-fixing conduct (*or* match-fixing arrangement)

(Section 443B. Facilitating match-fixing conduct or match-fixing arrangement)

Facilitated match-fixing conduct (*or* a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (*or* the happening of a sporting contingency, namely [*state the contingency*]) for the purpose of obtaining (*or* receiving) a pecuniary benefit for AB (*or* EF) (*or* causing a pecuniary detriment to EF).

**Form 276C Offering (*or* Giving) benefit
(*or* Causing *or* Threatening
detriment) to engage in
match-fixing conduct (*or*
match-fixing arrangement)**

(Section 443C. Offering or giving benefit, or causing or threatening detriment, to engage in match-fixing conduct or match-fixing arrangement)

- 1 Offered (*or* Gave) to EF a pecuniary benefit, as an inducement for (*or* to procure) EF (*or* GH) to engage in match-fixing conduct (*or* participate in a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (*or* the happening of a sporting contingency, namely [*state the contingency*]).
- 2 Caused (*or* Offered *or* Threatened to cause) a pecuniary detriment to EF, as an inducement for (*or* to procure) EF (*or* GH) to engage in match-fixing conduct (*or* participate in a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (*or* the happening of a sporting contingency, namely [*state the contingency*]).

**Form 276D Using (*or* Disclosing)
knowledge of match-fixing**

conduct (or match-fixing arrangement) for betting**(Section 443D. Using or disclosing knowledge of match-fixing conduct or match-fixing arrangement for betting)**

- 1 Having knowledge of match-fixing conduct (or a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (or a sporting contingency, namely [*state the contingency*]), made a relevant bet in relation to the event (or contingency).
- 2 Having knowledge of match-fixing conduct (or a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (or a sporting contingency, namely [*state the contingency*]), encouraged EF to make a relevant bet in relation to the event (or contingency).
- 3 Having knowledge of match-fixing conduct (or a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (or a sporting contingency, namely [*state the contingency*]), disclosed the knowledge to EF, who AB knew (or ought reasonably to have known) would have been likely to make a relevant bet in relation to the event (or contingency).

Form 276E**Encouraging person not to disclose match-fixing conduct (or match-fixing arrangement)****(Section 443E. Encouraging person not to disclose match-fixing conduct or match-fixing arrangement)**

[s 4]

- 1 Encouraged EF to conceal information about match-fixing conduct (*or* a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (*or* the happening of a sporting contingency, namely [*state the contingency*]) from GH, a law enforcement agency (*or* a law enforcement officer *or* the chief executive of the department in which the *Wagering Act 1998* was administered *or* a responsible entity for the sporting event), and for such encouragement received (*or* obtained *or* offered to receive (*or* obtain)) a pecuniary benefit from MN.
- 2 Encouraged EF to conceal information about match-fixing conduct (*or* a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (*or* the happening of a sporting contingency, namely [*state the contingency*]) from GH, a law enforcement agency (*or* a law enforcement officer *or* the chief executive of the department in which the *Wagering Act 1998* was administered *or* a responsible entity for the sporting event), and for such encouragement gave (*or* offered to give) a pecuniary benefit to MN.
- 3 Encouraged EF to conceal information about match-fixing conduct (*or* a match-fixing arrangement) in relation to a sporting event, namely [*state the event*] (*or* the happening of a sporting contingency, namely [*state the contingency*]) from GH, a law enforcement agency (*or* a law enforcement officer *or* the chief executive of the department in which the *Wagering Act 1998* was administered *or* a responsible entity for the sporting event) and for such encouragement caused (*or* offered *or* threatened *or* agreed to cause) a pecuniary detriment to MN.

**Form 276F Using (*or* Disclosing)
inside knowledge for
betting**

(Section 443F. Using or disclosing inside knowledge for betting)

- 1 Having inside knowledge in relation to a sporting event, namely [*state the event*] (*or* a sporting contingency, namely [*state the contingency*]), made a relevant bet in relation to the event (*or* contingency).

-
- 2 Having inside knowledge in relation to a sporting event, namely [*state the event*] (*or* a sporting contingency, namely [*state the contingency*]), encouraged EF to make a relevant bet in relation to the event (*or* contingency).
 - 3 Having inside knowledge in relation to a sporting event, namely [*state the event*] (*or* a sporting contingency, namely [*state the contingency*]), disclosed the inside knowledge to EF for the purpose of EF making a relevant bet in relation to the event (*or* contingency).
 - 4 Having received information in relation to a sporting event, namely [*state the event*] (*or* a sporting contingency, namely [*state the contingency*]) from EF, knew (*or* ought reasonably to have known) the information was inside knowledge in relation to the event (*or* contingency) and made (*or* encouraged GH to make) a relevant bet in relation to the event (*or* contingency).

(56) Schedule 3, after form 307—

insert—

Form 307AA Wilful destruction (*or* damage) of cemetery etc.

(Section 469. Wilful damage, punishment in special cases, cemeteries etc.)

- 1 Wilfully and unlawfully destroyed (*or* damaged) a grave (*or* vault *or* niche *or* memorial) in a cemetery (*or* at a crematorium).
- 2 Wilfully and unlawfully destroyed (*or* damaged) a war memorial.
- 3 Wilfully and unlawfully destroyed (*or* damaged) [*describe property*] at a place of religious worship.

(57) Schedule 3, form 309—

omit, insert—

[s 5]

**Form 309 Unlawful dealing with
explosive (or noxious)
substances**

**(Section 470A. Unlawful dealing with explosive or noxious
substances)**

- 1 Wilfully and unlawfully threw (*or* left down *or* deposited) an explosive (*or* noxious) substance in circumstances that could have caused injury to a person (*or* damage to property).
- 2 Wilfully and unlawfully made (*or* had possession of) an explosive (*or* noxious) substance in circumstances that could have caused injury to a person (*or* damage to property).

(58) Schedule 3, form 351, ‘crimes’—

omit, insert—

offences

(59) Schedule 3, form 351, ‘Accessories after the fact to misdemeanours and some other’—

omit, insert—

Punishment of accessories after the fact to

**5 Amendment of sch 4 (Forms for indictments,
informations and complaints—statement of offences
under the Drugs Misuse Act 1986)**

Schedule 4—

insert—

**Form 357CA Trafficking in a relevant
substance (or thing)**

(Section 9D. Trafficking in relevant substances or things)

Carried on the business of unlawfully trafficking in a relevant substance (or substances), namely [*state the substance(s)*] (or thing (or things), namely [*state the thing(s)*]) for use in connection with the commission of an offence against the *Drugs Misuse Act 1986*, section 8.

6 Insertion of new sch 4A

After schedule 4—

insert—

Schedule 4A Forms for indictments, informations and complaints—statement of offences under the Peace and Good Behaviour Act 1982

rules 13 and 15

Form 363 Contravention of public safety order

(Section 32. Contravention of public safety order)

Without reasonable excuse, knowingly contravened a public safety order made for AB (or a group of persons of which AB is a member, namely [*state group of persons*]).

Form 364 Offence by owner (or occupier) of restricted premises

(Section 54. Offence by owner or occupier of restricted premises)

That EF was the owner (*or* occupier) of restricted premises for which EF had been served with a restricted premises order, and a disorderly activity, namely [*state disorderly activity*], took place at the premises after the order had been served and while the order remained in force, and EF knew (*or* ought reasonably to have known) the disorderly activity had taken place at the premises.

And AB has previously been convicted of an offence under the *Peace and Good Behaviour Act 1982*, section 54 on [*date of each previous conviction*] in relation to restricted premises at [*state address of each restricted premises*].

**Form 365 Hindering removal (*or*
modification) of a
fortification**

(Section 75. Hindering removal or modification of a fortification)

Did an act (*or* made an omission) with intent to hinder the removal (*or* modification) of a fortification under a fortification removal order (*or* the taking of enforcement action).

7 Amendment of sch 6 (Dictionary)

Schedule 6, definition *schedule form*, ‘3 or 4’—
omit, insert—

3, 4 or 4A

8 Amendment of other provisions

Each provision mentioned in schedule 1 of this rule is amended by inserting the following words at the end of the provision—

And AB, at the time the offence was committed (*or* at any time during the course of the commission of the offence)—

- (a) was a participant in a criminal organisation; and
- (b) knew (*or* ought reasonably to have known) the offence was being committed at the direction of a criminal organisation (*or* at the direction of a participant in a criminal organisation) (*or* in association with 1 or more persons who were, at the time the offence was committed (*or* at any time during the course of the commission of the offence), participants in a criminal organisation) (*or* for the benefit of a criminal organisation).

Schedule 1 Other provisions amended

section 8

Part 1 Provisions of schedule 3

- Form 26
- Form 43, item 1
- Form 43, item 2
- Form 48A, item 1
- Form 48A, item 2
- Form 77, item 1
- Form 77, item 2
- Form 80, item 1
- Form 80, item 2
- Form 80, item 3
- Form 94
- Form 114, item 1
- Form 114, item 2
- Form 114, item 3
- Form 114, item 4
- Form 114, item 5
- Form 114, item 6
- Form 117
- Form 120
- Form 121, item 1
- Form 121, item 2
- Form 121, item 3

Form 135
Form 137
Form 151
Form 152
Form 153, item 1
Form 153, item 2
Form 153, item 3
Form 154
Form 155
Form 161
Form 162, item 1
Form 162, item 2
Form 162, item 3
Form 162, item 4
Form 167
Form 168
Form 188
Form 189, item 1
Form 189, item 2
Form 195
Form 196
Form 198
Form 199, item 1
Form 199, item 2
Form 199, item 3
Form 212
Form 243
Form 244

Form 247

Form 251

Part 2

Provisions of schedule 4

Form 352

Form 353, item 1

Form 353, item 2

Form 354, item 1

Form 354, item 2

Form 354, item 3

Form 354, item 4

Form 355

Form 357B

Form 357C

ENDNOTES

- 1 Made by the Governor in Council on 1 October 2020.
- 2 Notified on the Queensland legislation website on 2 October 2020.
- 3 The administering agency is the Department of Justice and Attorney-General.

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