

Queensland



BAIL AMENDMENT BILL 1993

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MINOR AMENDMENTS

1993

A BILL

FOR

An Act to amend the *Bail Act 1980*

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the
 advice and consent of the Legislative Assembly of Queensland in Parliament
 assembled, and by the authority of the same, as follows.

Short title 4

Clause1. This Act may be cited as the *Bail Amendment Act 1993*. 5

Amended Act 6

Clause2. The *Bail Act 1980* is amended as set out in this Act. 7

Insertion of new s.10A 8

Clause3. After section 10— 9

insert— 10

‘No court fee payable for making application to Supreme Court 11

‘10A. No fee is payable to an office of the Supreme Court for the making of
 an application for bail to the Supreme Court or a Judge of the Court.’. 12
 13

Replacement of s.13 (Bail in cases of charges of serious offences) 14

Clause4. Section 13— 15

omit, insert— 16

‘When only the Supreme Court may grant bail 17

‘13. Only the Supreme Court or a Judge of the Supreme Court may grant
 bail to a person charged with an offence under the Criminal Code if, on
 conviction, the sentencing court will have to decide which of the following
 sentences to impose on the person— 20
 21

- (a) imprisonment for life, which cannot be mitigated or varied under the
 Criminal Code or any other law; 22
 23

(b) an indefinite sentence under Part 10 of the <i>Penalties and Sentences Act 1992</i> .’	1 2
Amendment of s.16 (Refusal of bail)	3
<i>Clause 5</i> . Section 16(3)(b)—	4
<i>omit, insert—</i>	5
‘(b) with an offence to which section 13 applies; or’.	6
Amendment of s.20 (Undertaking as to bail)	7
<i>Clause 6</i> . Section 20(3B)—	8
<i>omit</i> ‘pursuant to section 13(1)’, <i>insert</i> ‘under section 13’.	9

SCHEDULE	1
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section 2	3
1. Section 4—	4
<i>omit.</i>	5
2. Section 5—	6
<i>omit.</i>	7
3. Section 6(1)(definition ‘police force’)—	8
<i>omit.</i>	9
4. Section 7 (heading)—	10
<i>omit ‘member of police force’, insert ‘police officer’.</i>	11
5. Section 7—	12
<i>omit ‘member of the police force’ (wherever occurring),</i>	13
<i>insert ‘police officer’.</i>	14
6. Section 8(5)—	15
<i>omit ‘Court of Criminal Appeal’ (wherever occurring),</i>	16
<i>insert ‘ Court of Appeal’.</i>	17

 SCHEDULE (continued)

7. Section 11(1) and (2)—	1
<i>omit</i> ‘member of the police force’ (wherever occurring),	2
<i>insert</i> ‘police officer’.	3
8. Section 11(1)—	4
<i>omit</i> ‘member’ (second occurring), <i>insert</i> ‘police officer’.	5
9. Section 11(2)—	6
<i>omit</i> ‘member’ (second occurring), <i>insert</i> ‘police officer’.	7
10. Section 12 (Penalty)—	8
<i>omit, insert—</i>	9
‘Maximum penalty—10 penalty units or imprisonment for 6 months.’.	10
11. Section 14(1) to (3)—	11
<i>omit</i> ‘member of the police force’ (wherever occurring),	12
<i>insert</i> ‘police officer’.	13
12. Section 14(1)—	14
<i>omit</i> ‘second schedule’, <i>insert</i> ‘Schedule’.	15
13. Section 14A(1)—	16
<i>omit</i> ‘second schedule’, <i>insert</i> ‘Schedule’.	17

SCHEDULE (continued)

14. Section 16(1)—	1
<i>omit</i> ‘member of the police force’, <i>insert</i> ‘police officer’.	2
15. Section 16(1)—	3
<i>omit</i> ‘member’ (second occurring), <i>insert</i> ‘police officer’.	4
16. Section 16(2) and (3)—	5
<i>omit</i> ‘member’ (wherever occurring), <i>insert</i> ‘police officer’.	6
17. Section 20(5) and (6)—	7
<i>omit</i> ‘member of the police force’ (wherever occurring),	8
<i>insert</i> ‘police officer’.	9
18. Section 21(1)(c)—	10
<i>omit</i> ‘Services’.	11
19. Section 24—	12
<i>omit</i> ‘Members of the police force’, <i>insert</i> ‘A police officer’.	13
20. Section 26(1)(penalty)—	14
<i>omit, insert—</i>	15
‘Maximum penalty—17 penalty units or imprisonment for 1 year.’.	16

SCHEDULE (continued)

21. Section 28(3)(c)—	1
<i>omit</i> ‘members of the police force’, <i>insert</i> ‘police officers’.	2
22. Section 28A(3)(c)—	3
<i>omit</i> ‘members of the police force’, <i>insert</i> ‘police officers’.	4
23. Section 28B—	5
<i>omit</i> ‘member of the police force’, <i>insert</i> ‘police officer’.	6
24. Section 29(1)—	7
<i>omit</i> ‘member of the police force’, <i>insert</i> ‘police officer’.	8
25. Section 29(1)—	9
<i>omit</i> ‘member’ (second and third occurring), <i>insert</i> ‘police officer’.	10
26. Section 37—	11
<i>omit, insert—</i>	12
‘Regulations	13
‘37. The Governor in Council may make regulations for the purposes of this Act.	14
	15
‘Existing regulations	16
‘38. A regulation in force under this Act immediately before the commencement of this section continues to have effect, after the	17
	18

SCHEDULE (continued)

commencement, as if it had been made under this Act as in force immediately after the commencement.’. 1
2

27. First schedule— 3

omit. 4

28. Second schedule (heading ‘SECOND SCHEDULE’)— 5

omit, insert— 6

‘SCHEDULE’. 7

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