

Queensland



**PENALTIES AND  
SENTENCES AMENDMENT  
BILL 1994**

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**PENALTIES AND SENTENCES  
AMENDMENT BILL 1994**

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**1994**

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**A BILL**

**FOR**

***An Act to amend the Penalties and Sentences Act 1992***

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<b>The Parliament of Queensland enacts—</b>	1
<b>Short title</b>	2
<i>Clause 1.</i> This Act may be cited as the <i>Penalties and Sentences Amendment Act 1994</i> .	3 4
<b>Act amended</b>	5
<i>Clause 2.</i> This Act amends the <i>Penalties and Sentences Act 1992</i> .	6
<b>Amendment of s 56 (Notice to offender of right to apply for fine option order)</b>	7 8
<i>Clause 3.</i> Section 56(2)—	9
<i>omit, insert—</i>	10
‘(2) Before a warrant may be issued for the commitment of the offender to prison, the proper officer of the court that imposed the fine must give to the offender—	11 12 13
(a) an application for a fine option order; and	14
(b) a notice informing the offender that, if the offender fails to make application for a fine option order within 15 business days after the notice is posted, or given personally, to the offender, a warrant may be issued for the offender’s commitment to prison for failing to pay the fine.	15 16 17 18 19
‘(3) In subsection (2)—	20
“give” to the offender means—	21
(a) give personally; or	22
(b) send by post to the offender at the offender’s address last known to the proper officer.’.	23 24

<b>Amendment of s 182B (Warrant for arrest and imprisonment)</b>	1
<i>Clause 4.</i> Section 182B(3)—	2
<i>omit.</i>	3
<b>Amendment of s 183 (Imprisonment unless penalty paid)</b>	4
<i>Clause 5.</i> Section 183(c)—	5
<i>omit.</i>	6
<b>Amendment of s 185 (Scale of imprisonment for non-payment of penalty)</b>	7
	8
<i>Clause 6.</i> Section 185(1)(d)—	9
<i>omit.</i>	10
<b>Insertion of new s 204A</b>	11
<i>Clause 7.</i> After section 204—	12
<i>insert—</i>	13
<b>‘Savings—warrants</b>	14
<b>‘204A.(1)</b> Section 182B(3) as in force from time to time before the	15
commencement of this section is taken to have always been directory only,	16
and a warrant must not be taken to be, or at any time to have been, invalid	17
merely because of a failure by the proper officer of a court to make a person	18
aware of the provisions of Division 2 of Part 4.	19
<b>‘(2)</b> Section 56(2) as in force from time to time from 23 July 1993 until	20
immediately before the commencement of this section is taken to have been	21
complied with in relation to an offender if the application and advice	22
mentioned in the subsection were given to the offender by the proper officer	23
of the court mentioned in the subsection.	24
<b>‘(3)</b> In subsection (2)—	25
<b>“given”</b> to the offender means—	26
(a) given personally; or	27

- (b) sent by post to the offender at the offender's address last known to the proper officer.'.

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