

Queensland



**CORRECTIVE SERVICES
LEGISLATION
AMENDMENT BILL 1999**

Queensland



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AMENDMENT BILL 1999**

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1999

A BILL

FOR

An Act to amend the *Corrective Services Act 1988* and the *Corrective Services (Administration) Act 1988*, and for other purposes

The Parliament of Queensland enacts—

1

PART 1—PRELIMINARY

2

Short title

3

Clause **1.** This Act may be cited as the *Corrective Services Legislation Amendment Act 1999*.

4

5

Commencement

6

Clause **2.** This Act, other than part 2, commences on a day to be fixed by proclamation.

7

8

Amendments—schedule

9

Clause **3.** The schedule amends the Acts it mentions.

10

PART 2—AMENDMENT OF CORRECTIVE SERVICES ACT 1988

11

12

Act amended in pt 2

13

Clause **4.** This part amends the *Corrective Services Act 1988*.

14

Amendment of s 10 (Definitions)

15

Clause **5.** Section 10—

16

insert—

17

‘ **“maximum security facility”** means a facility at a prison for the accommodation of prisoners that is designed and constructed so that—

18

19

Corrective Services Legislation Amendment

- (a) all prisoners accommodated in the facility are totally separated from all other prisoners at the prison; and 1
2
- (b) some or all of the prisoners accommodated in the facility can, when necessary, be totally separated from the other prisoners in the facility. 3
4
5

“maximum security order” see section 43A.’. 6

Insertion of new s 38A 7

Clause 6. After section 38— 8
insert— 9

‘Different management arrangements for different classifications 10

‘38A.(1) In fulfilling the chief executive’s responsibility under section 13 in relation to prisons, and prisoners in prison, the chief executive may apply different arrangements for the management of prisoners of different classes as classified under a regulation. 11
12
13
14

‘(2) However, arrangements under subsection (1) that provide for the segregation or partial segregation of prisoners of 1 class from prisoners of another class have effect subject to the requirements of— 15
16
17

- (a) generally—any regulation under section 130(c); and 18
- (b) for a prisoner who is the subject of special treatment under section 39—section 39 and the instrument ordering the special treatment; and 19
20
21
- (c) for a prisoner who is the subject of a maximum security order under subdivision 1A—subdivision 1A and the order; and 22
23
- (d) for a prisoner who is the subject of an order for separate confinement under division 7—separate confinement under division 7.’. 24
25
26

Insertion of new sdiv 1A 27

Clause 7. After section 43— 28
insert— 29

‘Subdivision 1A—Accommodation in maximum security facility

‘Management of prisoners under maximum security arrangements

‘43A.(1) The chief executive may make an order (a **“maximum security order”**) that a prisoner at a prison be accommodated in a maximum security facility, whether at the prison or at another prison.

‘(2) The maximum security order may be made only if—

- (a) the prisoner has been classified, under a regulation, into the security rating of maximum security, and the rating is still current; and
- (b) the chief executive considers, on reasonable grounds, that 1 or more of the following apply—
 - (i) there is a high risk the prisoner will escape, or attempt to escape, from prison;
 - (ii) there is a high risk the prisoner will inflict death or serious injury on other prisoners, prison staff or other persons with whom the prisoner may come into contact;
 - (iii) generally, the prisoner is a substantial threat to prison security and good order.

‘(3) The term of the maximum security order must not be longer than 6 months.

‘Consecutive maximum security orders

‘43B.(1) The chief executive may make a new maximum security order for a prisoner to take effect on the expiry of an existing maximum security order for the prisoner if the new order is made no earlier than 14 days before the expiry.

‘(2) However, the chief executive must not make the new order unless—

- (a) not more than 28 days before the existing order expires, the chief executive gives written notice to the prisoner advising the prisoner that—

Corrective Services Legislation Amendment

- (i) the chief executive is about to consider whether a new order should be made; and 1
2
- (ii) the prisoner may, within 14 days after receiving the written notice, make submissions to the chief executive about anything relevant to the decision about making the new order; and 3
4
5
6
- (b) the chief executive considers any submission the prisoner makes to the chief executive under paragraph (a)(ii). 7
8
- ‘Other matters about maximum security orders 9**
- ‘43C.(1)** A maximum security order for a prisoner must include, to the extent it is practicable, directions about the extent to which— 10
11
- (a) the prisoner is to be segregated from other prisoners accommodated in the maximum security facility; and 12
13
- (b) visits to the prisoner may involve direct contact between prisoner and visitor; and 14
15
- (c) the prisoner is to receive privileges. 16
- ‘(2)** The privileges the prisoner may receive while under the maximum security order must be limited to privileges— 17
18
- (a) that can be enjoyed within the maximum security facility; and 19
- (b) the enjoyment of which, in the circumstances of the order, may reasonably be expected not to jeopardise prison security and good order. 20
21
22
- ‘(3)** A maximum security order may include directions about the prisoner’s access, within the maximum security facility, to programs and services, including training and counselling. 23
24
25
- ‘Review of maximum security order by official visitor 26**
- ‘43D.(1)** A prisoner accommodated in a maximum security facility under a maximum security order may ask the general manager of the prison to refer the maximum security order to an official visitor for review. 27
28
29

Corrective Services Legislation Amendment

- ‘(2) The general manager must refer the maximum security order to an official visitor, and the official visitor to whom the maximum security order is referred must review the order, as soon as practicable. 1
2
3
- ‘(3) If the term of the maximum security order is 3 months or less, the prisoner may not ask for the order to be referred more than once. 4
5
- ‘(4) If the term of the maximum security order is more than 3 months, the prisoner may not ask for the order to be referred more than twice. 6
7
- ‘(5) Despite subsections (3) and (4), the prisoner may also ask for the maximum security order to be referred to an official visitor if the chief executive amends the order, other than under subsection (8). 8
9
10
- ‘(6) For conducting the review, the official visitor may exercise the powers mentioned in section 24.¹ 11
12
- ‘(7) After the official visitor completes the review, the official visitor must recommend to the chief executive whether the order should be confirmed, amended or repealed. 13
14
15
- ‘(8) The chief executive, on receiving the official visitor’s recommendation, must— 16
17
- (a) consider the recommendation; and 18
 - (b) confirm, amend or repeal the maximum security order. 19
- ‘(9) To remove doubt, it is declared that the chief executive is not bound by the official visitor’s recommendation. 20
21
- ‘Examination by medical officer 22**
- ‘43E.(1) A medical officer must examine a prisoner accommodated in a maximum security facility under a maximum security order— 23
24
- (a) as soon as practicable after the order takes effect; and 25
 - (b) after the first examination, at intervals that are, to the greatest practicable extent, of not more than 28 days; and 26
27
 - (c) as soon as practicable after the prisoner is removed from the maximum security facility under the order. 28
29

¹ Section 24 (Powers of official visitor)

Corrective Services Legislation Amendment

‘(2) For subsection (1), 2 or more maximum security orders running consecutively are taken to be 1 order. 1
2

‘Transitional provision—references to chief executive 3

‘43F.(1) In section 38A, and in this subdivision other than this section, a reference to the chief executive is taken to be a reference to the commission. 4
5

‘(2) This section expires on the commencement of the schedule to the *Corrective Services Legislation Amendment Act 1999*.². 6
7

**PART 3—AMENDMENT OF CORRECTIVE 8
SERVICES (ADMINISTRATION) ACT 1988 9**

Act amended in pt 3 10

Clause 8. This part amends the *Corrective Services (Administration) Act 1988*. 11

Amendment of title 12

Clause 9. Title, from ‘the Queensland Corrective’ to ‘related to’— 13
omit. 14

Amendment of s 2 (Objects) 15

Clause 10. Section 2(b), ‘by the Queensland Corrective Services Commission’— 16
omit. 17
18

² This provision is a temporary provision intended to operate until the schedule to the *Corrective Services Legislation Amendment Act 1999* commences, and the provisions of this Act referring to the Commission are changed, in most cases, to references to the chief executive or the State.

Corrective Services Legislation Amendment

Amendment of s 7 (References to various officers and the commission)		1
Clause	11.(1) Section 7, heading, ‘and the commission’—	2
	<i>omit.</i>	3
	(2) Section 7(1)(a)—	4
	<i>omit, insert—</i>	5
	‘(a) a person employed under the <i>Public Service Act 1996</i> as a community correctional officer; or’.	6 7
	(3) Section 7(2)(a)—	8
	<i>omit, insert—</i>	9
	‘(a) a person employed under the <i>Public Service Act 1996</i> as a custodial correctional officer; or’.	10 11
	(4) Section 7(3)(a)—	12
	<i>omit, insert—</i>	13
	‘(a) a person employed under the <i>Public Service Act 1996</i> as the general manager of the prison or, if there is no person employed as the general manager, the person employed under the <i>Public</i> <i>Service Act 1996</i> as the manager of the prison; or’.	14 15 16 17
	(5) Section 7(4) and (5)—	18
	<i>omit, insert—</i>	19
	‘ (4) In any Act, a reference to a corrective services officer is a reference to—	20 21
	(a) a public service officer who is appointed as a corrective services officer; or	22 23
	(b) a person taken to be a corrective services officer under section 23C(8). ³	24 25
	‘ (5) In any Act, a reference to a corrective services employee is a reference to—	26 27
	(a) a public service employee, other than a public service officer, who is employed as a corrective services employee; or	28 29

³ Section 23C (Structure of organisation and delegation)

Corrective Services Legislation Amendment

(b) a person taken to be a corrective services employee under section 23C(8). 1
2

‘(6) In any Act, a reference to the chief executive (corrective services) is a reference to— 3
4

(a) the chief executive; or 5

(b) a person or body taken to be the chief executive under section 23C(5).’. 6
7

Omission of s 8 (Administration) 8

Clause 12. Section 8— 9
omit. 10

Replacement of pt 2 hdg 11

Clause 13. Part 2, heading— 12
omit, insert— 13

‘PART 2—ROLE OF CHIEF EXECUTIVE’. 14

Omission of pt 2, div 1 15

Clause 14. Part 2, division 1— 16
omit. 17

Replacement of div 2 hdg 18

Clause 15. Part 2, division 2, heading— 19
omit, insert— 20

‘Division 1—Functions and powers of chief executive’. 21

Amendment of s 18 (Functions of Commission) 22

Clause 16. Section 18, all words before subsection (2)(b)— 23
omit, insert— 24

Corrective Services Legislation Amendment

	‘Functions of chief executive	1
	‘18. Subject to the Minister, the chief executive—	2
	(a) must decide policy for the administration, management and control of corrective services; and’.	3 4
	Amendment of s 19 (Powers of Commission)	5
Clause	17.(1) Section 19, heading and subsection (1), ‘Commission’—	6
	<i>omit, insert—</i>	7
	‘chief executive’.	8
	(2) Section 19(1), ‘by it of its’—	9
	<i>omit, insert—</i>	10
	‘of the chief executive’s’.	11
	(3) Section 19(2), all words before paragraph (b)—	12
	<i>omit, insert—</i>	13
	(2) Without limiting subsection (1) or the powers otherwise exercisable by the chief executive as the chief executive of the department, the chief executive may do the following—	14 15 16
	(a) acquire real or personal property for the conduct of the chief executive’s operations under the corrective services Acts and under any other Act under which the chief executive has functions in the context of corrective services;’.	17 18 19 20
	(4) Section 19(2)(b) and (c), ‘officers’—	21
	<i>omit, insert—</i>	22
	‘corrective services officers’.	23
	(5) Section 19(2)(c), ‘Commission’—	24
	<i>omit, insert—</i>	25
	‘department’.	26

Corrective Services Legislation Amendment

(6) Section 19(2)(d) and (h), ‘it’—	1
<i>omit, insert—</i>	2
‘the chief executive’.	3
(7) Section 19(2)(e), ‘Commission’s’—	4
<i>omit, insert—</i>	5
‘chief executive’s’.	6
(8) Section 19(2)(f)—	7
<i>omit, insert—</i>	8
‘(f) engage a person, other than a corrective services officer or	9
employee, or a body of persons to conduct on the chief	10
executive’s behalf any part of the chief executive’s operations	11
under the corrective services Acts and under any other Act under	12
which the chief executive has functions in the context of corrective	13
services;’.	14
(9) Section 19(2)(h), ‘its’—	15
<i>omit, insert—</i>	16
‘corrective services’.	17

	Replacement of s 21 (Delegation by commission)	18
--	---	----

Clause	18. Section 21—	19
	<i>omit, insert—</i>	20
	‘Delegation by chief executive	21
	‘21.(1) The chief executive may delegate the chief executive’s powers	22
	under the corrective services Acts or another Act to an appropriately	23
	qualified corrective services officer or employee.	24
	‘(2) In this section—	25
	“appropriately qualified” includes having the qualifications, experience or	26
	standing appropriate to exercise the power.	27
	<i>Examples of standing—</i>	28
	A person’s classification level in the department.	29

Corrective Services Legislation Amendment

	“ chief executive ” does not include a person or body taken to be the chief executive under section 23C(5).’.	1 2
	Omission of section 23 (Commission subject to direction of Minister)	3
Clause	19. Section 23— <i>omit.</i>	4 5
	Renumbering of pt 2, div 2A	6
Clause	20. Part 2, division 2A— <i>renumber</i> as part 2, division 2.	7 8
	Replacement of pt 2, div 3 and pt 3	9
Clause	21. Part 2, division 3 and part 3— <i>omit, insert—</i>	10 11
	‘PART 3—CORRECTIVE SERVICES ADVISORY COUNCIL	12 13
	‘Establishment of advisory council	14
	‘ 24.(1) The Corrective Services Advisory Council is established.	15
	‘ (2) The advisory council reports directly to the Minister.	16
	‘Functions	17
	‘ 25.(1) The advisory council has the following functions—	18
	(a) generally, to advise the Minister of community views about corrective services;	19 20
	(b) in particular, to advise the Minister of community views about the department’s policies and procedures for corrective services;	21 22
	(c) to examine, and make recommendations on, issues the Minister refers to the advisory council.	23 24

Corrective Services Legislation Amendment

‘(2) In performing its functions, the advisory council should seek to contribute to a culture of openness and transparency in the department’s management of corrective services.

‘Composition

‘26.(1) The advisory council consists of the following members—

- (a) the chief executive;
- (b) not more than 9 other persons (the “**appointed members**”) appointed by the Minister.

‘(2) The appointed members should (but need not) include—

- (a) persons with expertise in 1 or more of the following—
 - (i) business;
 - (ii) legal and advocacy issues;
 - (iii) employee relations; and
- (b) persons who represent 1 of the following—
 - (i) Aboriginal and Torres Strait Islander groups;
 - (ii) corrective services officers and employees.

‘(3) The chairperson of the advisory council is chosen by the Minister.

‘Term of appointment

‘27.(1) Half, or as close as practicable to half, of the first persons to be appointed as members of the advisory council are to be appointed for a term of 18 months.

‘(2) All other appointments of members of the advisory council are to be for a term of not more than 3 years.

‘(3) However, a person must not be appointed to more than 2 terms, whether or not consecutive, as a member.

‘(4) The Minister may at any time end the appointment of a member for any reason or none.

Corrective Services Legislation Amendment

‘Conditions of appointment

‘**28.(1)** An appointed member holds the member’s appointment on the conditions, not provided for by this Act, that are decided by the Minister from time to time.

‘**(2)** Except as decided by the Minister, an appointed member is not entitled to any remuneration, allowances or other valuable consideration for participating in meetings of the advisory council.

‘**(3)** However, the member may be paid the costs that, in the opinion of the Minister, are necessarily and reasonably incurred, or to be incurred, by the member to attend meetings.

‘Meetings

‘**29.(1)** The advisory council must meet at least 4 and not more than 6 times each year at times and places chosen by the Minister.

‘**(2)** However, the advisory council may hold 1 or more additional meetings if the Minister asks the advisory council to meet more frequently to deal with particular issues.’

Omission of s 65 (Service of documents on Commission)

Clause **22.** Section 65—
omit.

Omission of ss 67–70

Clause **23.** Sections 67 to 70—
omit.

Amendment of s 71 (Regulation-making power)

Clause **24.(1)** Section 71(2)(a), ‘entitlements,’—
omit.

Corrective Services Legislation Amendment

	(2) Section 71(2)(a), ‘officers and employees of the Commission’—	1
	<i>omit, insert—</i>	2
	‘corrective services officers and employees’.	3
	(3) Section 71(2)(b), ‘Commission’s behalf any part of its operations’—	4
	<i>omit, insert—</i>	5
	‘chief executive’s behalf any part of the chief executive’s operations	6
	under the corrective services Acts and under any other Act under which the	7
	chief executive has functions in the context of corrective services’.	8
	(4) Section 71(2)(c)—	9
	<i>omit.</i>	10
	(5) Section 71(2)(e), from ‘Commission’—	11
	<i>omit, insert—</i>	12
	‘chief executive of his or her functions and powers.’.	13
	 Omission of ss 72 and 73	 14
Clause	25. Sections 72 and 73—	15
	<i>omit.</i>	16
	 Omission of pt 6, divs 2 and 3	 17
Clause	26. Part 6, divisions 2 and 3—	18
	<i>omit.</i>	19
	 Insertion of new pt 6, div 5	 20
Clause	27. Part 6—	21
	<i>insert—</i>	22

Corrective Services Legislation Amendment

<i>Division 5—Transitional provisions for Corrective Services Legislation Amendment Act 1999</i>	1 2
<i>Subdivision 1—Preliminary</i>	3
Definitions for div 5	4
80. In this division—	5
“contract officer” , of QCSC or QC, means a person, other than the director-general of QCSC or the chief executive officer of QC, employed by QCSC or QC under a written contract of employment as an officer or employee of QCSC or QC, whether or not the contract is for a fixed term of appointment.	6 7 8 9 10
“QC” means Queensland Corrections.	11
“QCSC” means the Queensland Corrective Services Commission.	12
Effect of div 5	13
81. This division has effect despite anything in the <i>Government Owned Corporations Act 1993</i> , including anything in a regulation under that Act.	14 15
<i>Subdivision 2—Dissolution of QCSC</i>	16
Dissolution of QCSC	17
82. On the commencement of this section—	18
(a) the persons who are the chairperson, deputy chairperson and other commissioners of QCSC go out of office; and	19 20
(b) QCSC is dissolved; and	21
(c) all the assets and liabilities of QCSC become assets and liabilities of the State; and	22 23
(d) the State becomes the successor in law of QCSC; and	24

Corrective Services Legislation Amendment

- (e) a prisoner in the custody of QCSC becomes a prisoner in the custody of the chief executive, and is taken to be so under the *Corrective Services Act 1988*, section 33(1).⁴

‘Director-general of Corrective Services

‘**83.(1)** This section applies if, immediately before the commencement of this section, a person holds the appointment, other than an acting appointment, of the director-general of Corrective Services.

‘(2) On the commencement of this section, and despite the dissolution of QCSC and the repeal of section 33,⁵ the person—

- (a) becomes a public service officer, other than the chief executive; and
- (b) is taken to be a corrective services officer.

‘(3) Despite anything in the *Public Service Act 1996*—

- (a) the person continues to be engaged and employed in the department under the terms of the person’s contract with QCSC; and
- (b) to remove doubt, it is declared that, if the person’s employment under the contract is terminated under the terms of the contract, the termination does not affect any rights to compensation to which the person is entitled under the terms of the contract.

‘(4) Subject to subsection (3), the person’s contract with QCSC is taken to be a contract under the *Public Service Act 1996*, and that Act applies to the contract as if it were a contract for a fixed term under that Act.

‘(5) The *Public Service Act 1996*, section 71⁶ does not apply to the person.

‘(6) A reference in the contract to QCSC as the employer under the contract is taken to be a reference to the chief executive.

⁴ *Corrective Services Act 1988*, section 33 (Persons in custody of commission)

⁵ Section 33 (Appointment of Director-General and secretary)

⁶ *Public Service Act 1996*, section 71 (Tenure on termination etc. of certain contracts)

Corrective Services Legislation Amendment

‘Secretary to QCSC

‘84.(1) This section applies if, immediately before the commencement of this section, a person holds the appointment, other than an acting appointment, of the secretary to QCSC.

‘(2) Despite the dissolution of QCSC and the repeal of section 33, the person becomes a public service officer.

‘Subdivision 3—Dissolution of QC

‘Dissolution of QC

‘85. On the commencement of this section—

- (a) QC is dissolved; and
- (b) all the assets and liabilities of QC become assets and liabilities of the State; and
- (c) the State becomes the successor in law of QC; and
- (d) a prisoner in the custody of QC becomes a prisoner in the custody of the chief executive, and is taken to be so under the *Corrective Services Act 1988*, section 33(1).

‘Chief executive officer of QC

‘86.(1) This section applies if, immediately before the commencement of this section, a person holds the appointment, other than an acting appointment, of chief executive officer of QC.

‘(2) On the commencement of this section, and despite the dissolution of QC, the person—

- (a) becomes a public service officer, other than the chief executive; and
- (b) is taken to be a corrective services officer.

‘(3) Despite anything in the *Public Service Act 1996*—

- (a) the person continues to be engaged and employed in the department under the terms of the person’s contract with QC; and

Corrective Services Legislation Amendment

(b) to remove doubt, it is declared that, if the person's employment under the contract is terminated under the terms of the contract, the termination does not affect any rights to compensation to which the person is entitled under the terms of the contract.

'(4) Subject to subsection (3), the person's contract with QC is taken to be a contract under the *Public Service Act 1996*, and that Act applies to the contract as if it were a contract for a fixed term under that Act.

'(5) The *Public Service Act 1996*, section 71⁷ does not apply to the person.

'(6) A reference in the contract to QC as the employer under the contract is taken to be a reference to the chief executive.

'Subdivision 4—Special transitional provisions for officers and employees

'Officers and employees

'87.(1) On the commencement of this section, a person who, immediately before the commencement, was an officer or employee of QCSC or QC—

- (a) becomes a public service employee; and
- (b) has a right to a salary or wage rate not lower than the person's salary or wage rate immediately before the commencement; and
- (c) must be appointed or employed under the *Public Service Act 1996* as a public service officer, general employee or temporary employee; and
- (d) must be appointed or employed as a corrective services officer or employee.

⁷ *Public Service Act 1996*, section 71 (Tenure on termination etc. of certain contracts)

Corrective Services Legislation Amendment

‘(2) This section does not apply to an officer or employee of QCSC or QC who, immediately before the commencement, was a contract officer of QCSC or QC, the director-general of QCSC or the chief executive officer of QC. 1
2
3
4

‘**Contract officers** 5

‘88.(1) On the commencement of this section, a person who, immediately before the commencement, was a contract officer of QCSC or QC— 6
7
8

(a) becomes a public service officer; and 9

(b) is taken to be a corrective services officer. 10

‘(2) Despite anything in the *Public Service Act 1996*— 11

(a) the person continues to be engaged and employed in the department under the terms of the person’s contract with QCSC or QC; and 12
13
14

(b) to remove doubt, it is declared that, if the person’s employment under the contract is terminated under the terms of the contract, the termination does not affect any rights to compensation to which the person is entitled under the terms of the contract. 15
16
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18

‘(3) Subject to subsection (2), the person’s contract with QCSC or QC is taken to be a contract under the *Public Service Act 1996*, and that Act applies to the contract as if it were a contract for a fixed term under that Act. 19
20
21

‘(4) The *Public Service Act 1996*, section 71⁸ does not apply to the person. 22
23

‘(5) A reference in the contract to QCSC or QC as the employer under the contract is taken to be a reference to the chief executive. 24
25

⁸ *Public Service Act 1996*, section 71 (Tenure on termination etc. of certain contracts)

‘Transition to corrective services officers and employees	1
‘89. On the commencement of this section—	2
(a) a person who, immediately before the commencement, was employed by QCSC or QC as a community correctional officer is taken to be a corrective services officer or employee who is a community correctional officer; and	3 4 5 6
(b) a person who, immediately before the commencement, was employed by QCSC or QC as a custodial correctional officer is taken to be a corrective services officer or employee who is a custodial correctional officer; and	7 8 9 10
(c) a person who, immediately before the commencement, was employed by QCSC or QC as the general manager or manager of a prison is taken to be a corrective services officer or employee who is the general manager or manager of the prison.	11 12 13 14
 ‘Accrued entitlements	 15
‘90. A person who becomes a public service employee under this division keeps all entitlements accrued by the person, as at the commencement of this section, as an officer or employee of QCSC or QC.	16 17 18
 ‘Industrial instruments and agreements	 19
‘91. Industrial instruments and industrial agreements under the <i>Workplace Relations Act 1997</i> in force immediately before the commencement of this section, and applying to an officer or employee of QCSC or QC, continue in force under that Act after the commencement and apply to the person as a public service employee.	20 21 22 23 24
 ‘Employment conditions	 25
‘92.(1) Employment conditions decided under repealed section 34 by QCSC, or decided by QC, and in force immediately before the commencement of this section for an officer or employee of QCSC or QC continue to apply to the person as a public service employee after the commencement.	26 27 28 29 30

Corrective Services Legislation Amendment

‘(2) Despite the *Public Service Act 1996*, a directive or guideline under that Act about a matter that is also the subject of an employment condition mentioned in subsection (1) does not apply to the person. 1
2
3

‘(3) This section expires 1 year after it commences. 4

‘Disciplinary and other proceedings 5

‘93.(1) This section applies to a person who becomes a public service employee under this division. 6
7

‘(2) Disciplinary proceedings may be taken against the person after the commencement of this section for a disciplinary matter that happened while the person was an officer or employee of QCSC or QC as if the person were a public service employee at the time the matter happened. 8
9
10
11

‘(3) However, if disciplinary proceedings for a disciplinary matter were started against the person before the commencement of this section, the proceedings may be finalised as if the *Corrective Services Legislation Amendment Act 1999* had not been enacted. 12
13
14
15

‘(4) If the person was suspended by QCSC or QC before the commencement of this section, the suspension continues, and must be dealt with by the chief executive as if the *Corrective Services Legislation Amendment Act 1999* had not been enacted and the chief executive was QCSC or QC. 16
17
18
19
20

‘Subdivision 5—Other transitional provisions 21

‘Instruments and references in instruments 22

‘94.(1) This section applies to an instrument (other than a statutory instrument) in existence immediately before the commencement of this section. 23
24
25

‘(2) An instrument applying to QCSC or QC is to apply to the State in place of QCSC or QC and is to be read with necessary changes. 26
27

Corrective Services Legislation Amendment

‘(3) In an instrument applying to QCSC, a reference to the director-general of Corrective Services or another officer or employee of QCSC is taken to be, if the context permits, a reference to the chief executive or a corrective services officer or employee.

‘(4) In an instrument applying to QC, a reference to the chief executive officer of QC or another officer or employee of QC is taken to be, if the context permits, a reference to the chief executive or a corrective services officer or employee.

‘Pending proceedings

‘95. A proceeding by or against QCSC or QC arising out of acts or omissions of QCSC or QC that is not finished before the commencement of this section must be continued and finished by or against the State.

‘Actions taken by QCSC before commencement

‘96.(1) This section applies to an action taken by QCSC before the commencement of this section if—

- (a) the action was taken in the exercise of a power conferred on QCSC under the corrective services Acts or another Act; and
- (b) the action was still in force or having effect immediately before the commencement.

‘(2) The action stays in force or continues to have effect after the commencement.

‘(3) To the extent necessary to give effect to subsection (2), the action is taken to have been the action of the chief executive.

‘(4) Subsection (2) has effect only to the extent that the staying in force or continuing to have effect is consistent with the dissolution of QCSC and QC.

Example for subsection (4)—

The delegating of a power under section 21(1)(a) before the commencement of this section to a Commissioner would not stay in force or continue to have effect because the Commissioners go out of office on the commencement of this section.

‘(5) Without limiting subsections (2) to (4)—

Corrective Services Legislation Amendment

- | | |
|---|------------------|
| (a) the engagement of a person in force under section 19(2)(f) immediately before the commencement, other than the engagement of QC, continues in force as an engagement by the chief executive; and | 1
2
3
4 |
| (b) the Commission's Rules, as in force under section 20 immediately before the commencement, stay in force, subject to repeal or amendment by the chief executive from time to time, as the corrective services rules; and | 5
6
7
8 |
| (c) an authorisation in force under section 23C immediately before the commencement, other than an authorisation of QC, stays in force as an authorisation by the chief executive. | 9
10
11 |

'Actions taken by QC before commencement' 12

'97.(1) This section applies to an action taken by QC before the commencement of this section if the action was still in force or having effect immediately before the commencement. 13
14
15

'(2) The action stays in force or continues to have effect after the commencement. 16
17

'(3) To the extent necessary to give effect to subsection (2), the action is taken to have been the action of the chief executive. 18
19

'(4) Without limiting subsections (1) to (3), the delegating of a power by QC to a person under an authorisation under section 23C(6) continues to have effect as a delegation from the chief executive to the person. 20
21
22

'Certificates for evidentiary purposes' 23

'98.(1) A document made or issued by QCSC before the commencement of this section for the purposes of QCSC's functions in relation to the *Juvenile Justice Act 1992* before 7 December 1998⁹ is taken to be sufficiently authenticated if signed after the commencement by the chief executive. 24
25
26
27
28

⁹ Section 78 (Authentication of documents) commenced 7 December 1998.

Corrective Services Legislation Amendment

‘(2) Subsection (3) applies if, in any proceedings, it is relevant to prove a decision or determination of QCSC made before the commencement of this section, whether made under the corrective services Acts or another Act.

‘(3) A certificate purporting to be signed, before the commencement, by the secretary to QCSC, or after the commencement, by the chief executive, and stating the decision or determination of QCSC is evidence of the decision or determination.

‘References in Acts

‘99.(1) In any Act, a reference to QCSC or QC is, if the context allows, taken to be a reference to—

(a) the chief executive; or

(b) a person or body taken to be the chief executive under section 23C(5).

‘(2) If the context does not allow, the reference to QCSC or QC is taken to be a reference to the State.

‘Certain references to be taken to be to refer to chief executive

‘100. On the commencement of this section, a reference in an Act, other than the corrective services Acts, or in an instrument made under an Act, other than the corrective services Acts, to the Comptroller-General of Prisons, the Chief Probation Officer, the Chief Probation and Parole Officer, the Prisons Department, the prison service or the Probation and Parole Service is taken to be a reference to the chief executive.’.

Amendment of schedule (Dictionary)

Clause 28.(1) Schedule, definitions “**commission**”, “**commission entity**”, “**commissioner**”, “**director-general**”, “**employee**”, “**officer**” and “**secretary**”—

omit.

(2) Schedule—

insert—

Corrective Services Legislation Amendment

- ‘ **“advisory council”** means the Corrective Services Advisory Council established under section 24. 1
2
- “appointed members”**, of the advisory council, see section 26(1)(b). 3
- “corrective services Acts”** means— 4
- (a) the *Corrective Services Act 1988*; and 5
- (b) this Act. 6
- “corrective services employee”** see section 7(5). 7
- “corrective services entity”** means— 8
- (a) the chief executive; or 9
- (b) a defined office holder or other corrective services officer; or 10
- (c) a corrective services employee. 11
- “corrective services officer”** see section 7(4). 12
- “corrective services rules”** see section 20. 13
- “defined office holder”** means a corrective services officer who holds a following office— 14
15
- (a) community correctional officer; 16
- (b) custodial correctional officer; 17
- (c) general manager of a prison.’. 18
- (3) Schedule, definition **“function”**, ‘commission’— 19
omit, insert— 20
- ‘corrective services’. 21
- (4) Schedule, definition **“prisoner”**, ‘commission’s’— 22
omit, insert— 23
- ‘chief executive’s’. 24
25

SCHEDULE	1
MINOR AND CONSEQUENTIAL AMENDMENTS	2
section 3	3
CORRECTIVE SERVICES ACT 1988	4
1. Sections 5, 6 and 9—	5
<i>omit.</i>	6
2. Section 10, definitions, “appointed day”, “commission”, “commissioner”, “director-general”, “employee”, “officer” and “rule”—	7 8 9
<i>omit.</i>	10
3. Section 10—	11
<i>insert—</i>	12
‘ “corrective services employee” see <i>Corrective Services (Administration) Act 1988, section 7(5).</i> ’	13 14
‘ “corrective services officer” see <i>Corrective Services (Administration) Act 1988, section 7(4).</i> ’	15 16
‘ “corrective services rules” see <i>Corrective Services (Administration) Act 1988, section 20.</i> ’	17 18
4. Section 10, definition “commission’s rules”, ‘commission’s’—	19
<i>omit, insert—</i>	20
‘ corrective services ’.	21

SCHEDULE (continued)

5. Section 10, definitions “community service” and “prisoner”, ‘commission’—	1 2
<i>omit, insert—</i>	3
‘chief executive’.	4
6. Sections 12 to 14, 15(1) (first mention), 15(7), 18(1) (second mention), 19, 20(1) and (3) to (8), 21, 22(1), (3) and (5), 23(4) and (5), 26(1), 27(1) (first mention), (2)(d) and (3), 28(1) (second mention) and (2), 29(1)(d) (second mention), 31(1), 33, 36(2), 37, 38, 39(5), (8)(a) and (9), 40, 43, 45(2), 46(2), 47(6) and 47(9) (first mention), 48(8), 50(1) and (5), 52 to 55, 59 to 61, 63, 65 to 68, 69(2), 70 to 72, 73(1) (third mention) and (2), 75(3), 76(1), 80(2), 81, 83, 84, 86, 87(1) and (2), 88(1), 89 to 91, 93(1)(d), 100 (second mention), 103, 104(10), 105, 111, 112, 116(a), 123, 125 (second mention), 128, 130(n), 139(3), 151(1), 165(5)(c), 175(3) and (5), 176, 178(1), 186, 197, 198, 200, 202, 204(1) to (3), (4)(b) (second mention) and (4)(c), 206, and 207(b) and (f) (second mention), ‘commission’—	5 6 7 8 9 10 11 12 13 14 15 16
<i>omit, insert—</i>	17
‘chief executive’.	18
7. Sections 12(c), 20(4), (6) and (8), 26(1), 31(1), 40, 43(4), 59(5) and (7), 60(2), 61(1), 69(2), 72(1) (first mention), 105(3)(b), 111(1) (first mention), 180(1) and (2), 186 and 204(3), ‘it’—	19 20 21
<i>omit, insert—</i>	22
‘the chief executive’.	23
8. Sections 15(1), 35(1), 101(6) to (9), 102(1)(b) and 151(3), ‘officer of the commission’—	24 25
<i>omit, insert—</i>	26
‘corrective services officer’.	27

SCHEDULE (continued)

9. Sections 17(1), 21(2), 36(1) and (3), 104(10)(d), 115(2), 119(5) and 120(2), ‘commission’s’—	1
	2
<i>omit, insert—</i>	3
‘corrective services’.	4
10. Section 18(1), ‘chairperson of the commission’—	5
	6
<i>omit, insert—</i>	6
‘chief executive’.	7
11. Sections 20(2), 48, 62(1), 73(1), 88(3), 99(1), 100, 101(2), 102(1), 106(1), 109(1)(b), 132(3), 136(2), 138(2), 144(1)(b) and 151(2), ‘an officer of the commission’—	8
	9
	10
<i>omit, insert—</i>	11
‘a corrective services officer’.	12
12. Section 20(8), ‘its’—	13
	14
<i>omit, insert—</i>	14
‘his or her’.	15
13. Sections 22(2) and 28(1), ‘of the commission or’—	16
	17
<i>omit.</i>	17
14. Section 23(3)(c)—	18
	19
<i>omit, insert—</i>	19
‘(c) if the matter of complaint is not related to—	20
(i) any function of the chief executive under this Act or the	21
<i>Corrective Services (Administration) Act 1988; or</i>	22

SCHEDULE (continued)

(ii) any function of the chief executive under another Act conferring functions on the chief executive in the context of corrective services.’.	1 2 3
15. Sections 24(b), 25(4), 29(1), 109(1)(a) and 204(4), ‘an officer or employee of the commission’—	4 5
<i>omit, insert—</i>	6
‘a corrective services officer or employee’.	7
16. Sections 25(1), 30, 93(1)(f) and (g) and 98(2), ‘officer or employee of the commission’—	8 9
<i>omit, insert—</i>	10
‘corrective services officer or employee’.	11
17. Section 25(2), ‘An officer or employee of the commission’—	12
<i>omit, insert—</i>	13
‘A corrective services officer or employee’.	14
18. Section 27(1), ‘an officer of the commission or is’—	15
<i>omit.</i>	16
19. Section 34, heading, ‘Commission’—	17
<i>omit, insert—</i>	18
‘Chief executive’.	19
20. Section 34, ‘the commission’—	20
<i>omit, insert—</i>	21
‘the chief executive’.	22

SCHEDULE (continued)

21. Sections 35(1)(c), 39(1), 59, 60(1), 69(1)(g), 70(3), 80(1), 87(1), 88(1)(b), 93(1)(c) and (d), 96(1) and 100, ‘by rule’—	1
<i>omit, insert—</i>	2
‘under the corrective services rules’.	3
22. Section 39(9), ‘its’—	4
<i>omit, insert—</i>	5
‘the chief executive’s’.	6
23. Sections 45(1), 132 and 144(1)(b), ‘director-general’—	7
<i>omit, insert—</i>	8
‘chief executive’.	9
24. Sections 46(1), 99(3), 101(3) and 106(2), ‘An officer of the commission’—	10
<i>omit, insert—</i>	11
‘A corrective services officer’.	12
25. Sections 47(2) and 96(2), ‘commission may make rules prescribing’—	13
<i>omit, insert—</i>	14
‘corrective services rules may prescribe’.	15
26. Section 56, ‘commission’—	16
<i>omit, insert—</i>	17
‘State’.	18
	19
	20
	21

SCHEDULE (continued)

27. Section 60(4), ‘its’—	1
<i>omit.</i>	2
28. Sections 61(3A) and 86(3A), ‘it’s’—	3
<i>omit, insert—</i>	4
‘the board’s or the chief executive’s’.	5
29. Sections 63(3) and 86(8), ‘commission’s’—	6
<i>omit, insert—</i>	7
‘chief executive’s’.	8
30. Section 78, heading, ‘Commission’—	9
<i>omit, insert—</i>	10
‘Chief executive’.	11
31. Section 78, ‘the commission’—	12
<i>omit, insert—</i>	13
‘the chief executive’.	14
32. Section 93(1)(f) and (g), ‘commissioner,’—	15
<i>omit.</i>	16
33. 97(1), definition “privileges”, ‘by rule’—	17
<i>omit, insert—</i>	18
‘under the corrective services rules’.	19

SCHEDULE (continued)

- | | |
|--|----|
| 34. Section 101(3), ‘or rule’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘and to the corrective services rules’. | 3 |
|
 | |
| 35. Sections 104(10)(d), 115(2), 119(5) and 120(2), ‘commission’s’— | 4 |
| <i>omit, insert—</i> | 5 |
| ‘corrective services’. | 6 |
|
 | |
| 36. Section 106, heading, ‘officer of commission’— | 7 |
| <i>omit, insert—</i> | 8 |
| ‘corrective services officer’. | 9 |
|
 | |
| 37. Section 109 (heading), ‘officers and employees of commission’— | 10 |
| <i>omit, insert—</i> | 11 |
| ‘corrective services officers and employees’. | 12 |
|
 | |
| 38. Section 109(1)(a), ‘a commissioner,’— | 13 |
| <i>omit.</i> | 14 |
|
 | |
| 39. Section 119(1), ‘Law Courts and’— | 15 |
| <i>omit.</i> | 16 |
|
 | |
| 40. Sections 125 and 207(f), ‘under the seal of the commission or’— | 17 |
| <i>omit.</i> | 18 |

SCHEDULE (continued)

41. Sections 125 and 207(f), after ‘signed by’—	1
<i>insert—</i>	2
‘the chief executive or’.	3
42. Section 130(k), ‘officers or employees of the commission’—	4
<i>omit, insert—</i>	5
‘corrective services officers and employees’.	6
43. Section 132(2)(b)—	7
<i>omit.</i>	8
44. Section 132(3), ‘director-general’s’—	9
<i>omit, insert—</i>	10
‘chief executive’s’.	11
45. Section 144(2)(b)—	12
<i>omit.</i>	13
46. Section 144(2)(c), after ‘State’—	14
<i>insert—</i>	15
‘, other than the member mentioned in subsection (1)(b)’.	16
47. Section 151(4), ‘officers of the commission’—	17
<i>omit, insert—</i>	18
‘corrective services officers’.	19
	20

SCHEDULE (continued)

48. Section 160(2), ‘or the commission’—	1
<i>omit.</i>	2
49. Section 180, heading, ‘Commission’—	3
<i>omit, insert—</i>	4
‘Chief executive’.	5
50. Section 180(1) to (3), ‘the commission’—	6
<i>omit, insert—</i>	7
‘the chief executive’.	8
51. Section 181, heading, ‘Commission’—	9
<i>omit, insert—</i>	10
‘Chief executive’.	11
52. Section 181(1), ‘the commission’—	12
<i>omit, insert—</i>	13
‘the chief executive’.	14
53. Section 194, heading, ‘Commission’—	15
<i>omit, insert—</i>	16
‘Chief executive’.	17
54. Section 194, ‘the commission’—	18
<i>omit, insert—</i>	19
‘the chief executive’.	20

SCHEDULE (continued)

55. Section 201, heading, ‘Commission’—	1
<i>omit, insert—</i>	2
‘Chief executive’.	3
56. Section 201, ‘the commission’—	4
<i>omit, insert—</i>	5
‘the chief executive’.	6
57. Section 207(a), ‘commissioner or of any’—	7
<i>omit.</i>	8
CORRECTIVE SERVICES (ADMINISTRATION) ACT	9
1988	10
1. Sections 20(1), 61(1) and 66(1), ‘Commission’—	11
<i>omit, insert—</i>	12
‘chief executive’.	13
2. Section 20(1)(c), ‘its’—	14
<i>omit, insert—</i>	15
‘corrective services’.	16
3. Section 20(2), ‘the Commission’s’—	17
<i>omit, insert—</i>	18
‘corrective services’.	19

SCHEDULE (continued)

4. Section 20(3), from ‘shall’—	1
<i>omit, insert—</i>	2
‘are the “corrective services rules” ’.	3
5. Section 20(4)—	4
<i>omit, insert—</i>	5
‘(4) The chief executive must bring the corrective services rules to the notice of the persons to whom they apply.’.	6 7
6. Section 20(6), ‘under the seal of the Commission’—	8
<i>omit, insert—</i>	9
‘by the chief executive’.	10
7. Section 23A, heading, ‘div 2A’—	11
<i>omit, insert—</i>	12
‘div 2’.	13
8. Sections 23B, heading, 23C(2) and 51(3)(a), ‘commission’s’—	14
<i>omit, insert—</i>	15
‘chief executive’s’.	16
9. Sections 23B(1), 23C(2) and (4)(c), 23E(1) to (3), 51 and 63(3), ‘commission’—	17 18
<i>omit, insert—</i>	19
‘chief executive’.	20

SCHEDULE (continued)

10. Section 23C(1), ‘The commission’—	1
<i>omit, insert—</i>	2
‘The chief executive’.	3
11. Section 23C(1) and (11), ‘commission entity’—	4
<i>omit, insert—</i>	5
‘corrective services entity’.	6
12. Section 23C(5), ‘of the commission’—	7
<i>omit, insert—</i>	8
‘of the chief executive (the “ corrective services chief executive ”)’.	9
13. Section 23C(5), ‘commission’ (second and third mentions)—	10
<i>omit, insert—</i>	11
‘corrective services chief executive’.	12
14. Section 23C(8)(a), ‘an officer or employee of the commission’—	13
<i>omit, insert—</i>	14
‘another corrective services officer or employee’.	15
15. Section 23C(8), ‘or officer or employee of the commission’—	16
<i>omit, insert—</i>	17
‘or other corrective services officer or employee’.	18
16. Section 23C(9), ‘an officer or employee of the commission’—	19
<i>omit, insert—</i>	20
‘a corrective services officer or employee’.	21

SCHEDULE (continued)

17. Section 23C(11), example, ‘an officer of the commission’—	1
<i>omit, insert—</i>	2
‘a corrective services officer’.	3
18. Section 23C(11), example, ‘directions of the commission’—	4
<i>omit, insert—</i>	5
‘directions of the chief executive’.	6
19. Section 23C(11), example, ‘be the commission’—	7
<i>omit, insert—</i>	8
‘be the chief executive’.	9
20. Section 23C(13), definitions “commission entity” and “defined office holder”—	10
<i>omit.</i>	11
	12
21. Section 23E, heading, ‘Commission’—	13
<i>omit, insert—</i>	14
‘Chief executive’.	15
22. Section 23E(3), ‘its’—	16
<i>omit, insert—</i>	17
‘the chief executive’s’.	18
23. Section 61(1), ‘commissioner or other’—	19
<i>omit.</i>	20

SCHEDULE (continued)

24. Section 63, heading, ‘Commission’—	1
<i>omit, insert—</i>	2
‘State’.	3
25. Section 63(1), ‘Commission’, (last mention)—	4
<i>omit, insert—</i>	5
‘State’.	6
26. Section 63(1)(b), from ‘commissioners’ to ‘Commission, or’—	7
<i>omit, insert—</i>	8
‘corrective services officers or employees or’.	9
27. Section 63(1)(b) and (1B), ‘by the commission’—	10
<i>omit, insert—</i>	11
‘by the chief executive’.	12
28. Section 63(1)(b), from ‘commissioner, or’ to ‘of the Commission,’—	13
<i>omit, insert—</i>	14
‘corrective services officer or employee’.	15
29. Section 63(2), from ‘a commissioner’ to ‘the secretary’—	16
<i>omit, insert—</i>	17
‘the chief executive’.	18
	19

SCHEDULE (continued)

- | | |
|--|--------|
| 30. Section 63(2)(a), ‘Commission’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘State’. | 3 |
|
 | |
| 31. Section 63(2), from ‘and, in’ to ‘conclusive evidence’— | 4 |
| <i>omit.</i> | 5 |
|
 | |
| 32. Section 64(1), from ‘commissioner, or’ to ‘the Commission—’— | 6 |
| <i>omit, insert—</i> | 7 |
| ‘corrective services officer or employee, the person must surrender to the
chief executive—’. | 8
9 |
|
 | |
| 33. Section 64(1)(c), ‘Commission’s Rules’— | 10 |
| <i>omit, insert—</i> | 11 |
| ‘corrective services rules’. | 12 |
|
 | |
| 34. Section 64(1), ‘commissioner, officer or employee’— | 13 |
| <i>omit, insert—</i> | 14 |
| ‘corrective services officer or employee’. | 15 |
|
 | |
| 35. Section 64(2), from ‘chairperson of’ to ‘the chairperson,’— | 16 |
| <i>omit, insert—</i> | 17 |
| ‘chief executive’. | 18 |
|
 | |
| 36. Section 64(2), ‘on behalf of the Commission’— | 19 |
| <i>omit, insert—</i> | 20 |
| ‘on behalf of the chief executive’. | 21 |

SCHEDULE (continued)

CRIMINAL CODE**1. Section 145B, ‘Corrective Services Commission’—***omit, insert—*‘chief executive (corrective services)¹⁰’.**CRIMINAL JUSTICE ACT 1989****1. Section 3A(1)(da)—***omit.***CRIMINAL LAW (REHABILITATION OF
OFFENDERS) ACT 1986****1. Section 9A(1), table, column 1, item 2—***omit, insert—*

2. Person employed in the department in which the *Corrective Services (Administration) Act 1988* is administered as a corrective services officer or employee under that Act.’.

¹⁰ For the definition of “**chief executive (corrective services)**”, see *Corrective Services (Administration) Act 1988*, section 7(6).

SCHEDULE (continued)

CRIMINAL OFFENCE VICTIMS ACT 1995**1. Schedule 3, definition “law enforcement officer”, ‘an officer of the corrective services commission’—***omit, insert—*‘a corrective services officer¹¹’.**HEALTH RIGHTS COMMISSION ACT 1991****1. Schedule 1, part 2, item 3, ‘of the Corrective Services Commission or of’—***omit.***JUVENILE JUSTICE ACT 1992****1. Section 5, definition “commission”—***omit.***2. Section 48(2)(d), ‘Queensland Corrective Services Commission’—***omit, insert—*‘chief executive (corrective services)¹²’.

¹¹ For the definition of “**corrective services officer**”, see *Corrective Services (Administration) Act 1988*, section 7(4).

¹² For the definition of “**chief executive (corrective services)**”, see *Corrective Services (Administration) Act 1988*, section 7(6).

SCHEDULE (continued)

- | | |
|--|----|
| 3. Sections 107C(2), 173(4), 211(4A) and 224AA(3)(d), ‘commission’— | 1 |
| <i>omit, insert—</i> | 2 |
| ‘chief executive (corrective services)’. | 3 |
|
 | |
| 4. Section 204(4)(c), ‘an officer of the Queensland Corrective Services Commission as defined’— | 4 |
| <i>omit, insert—</i> | 5 |
| <i>omit, insert—</i> | 6 |
| ‘a corrective services officer ¹³ ’. | 7 |
|
 | |
| 5. Section 204(4)(d), ‘Queensland Corrective Services Commission’— | 8 |
| <i>omit, insert—</i> | 9 |
| ‘chief executive (corrective services)’. | 10 |

MENTAL HEALTH ACT 1974

- | | |
|--|----|
| 1. Section 5(1), definition “Commission”— | 11 |
| <i>omit.</i> | 12 |
| | 13 |
|
 | |
| 2. Sections 31(1A)(a), (2A) and (4), 42 and 43(1B)(a), (3), (5A), (6D), (9) and (10), ‘Commission’— | 14 |
| <i>omit, insert—</i> | 15 |
| <i>omit, insert—</i> | 16 |
| ‘chief executive (corrective services) ¹⁴ ’. | 17 |

¹³ For the definition of “**corrective services officer**”, see *Corrective Services (Administration) Act 1988*, section 7(4).

¹⁴ For the definition of “**chief executive (corrective services)**”, see *Corrective Services (Administration) Act 1988*, section 7(6).

SCHEDULE (continued)

PAROLE ORDERS (TRANSFER) ACT 1984**1. Section 12, ‘an officer or employee of the corrective services commission’—***omit, insert—*‘a corrective services officer or employee¹⁵’.**PENALTIES AND SENTENCES ACT 1992****1. Section 4, definition “commission”—***omit.***2. Section 4, definition “approved form”, ‘commission’—***omit, insert—*‘chief executive (corrective services)¹⁶’.**3. Section 4, definition “authorised commission officer”, ‘commission’—***omit, insert—*

‘corrective services’.

¹⁵ For the definition of “**corrective services officer**”, see *Corrective Services (Administration) Act 1988*, section 7(4). For the definition of “**corrective services employee**”, see *Corrective Services (Administration) Act 1988*, section 7(5).

¹⁶ For the definition of “**chief executive (corrective services)**”, see *Corrective Services (Administration) Act 1988*, section 7(6).

SCHEDULE (continued)

4. Section 4A, ‘commission officer’—	1
<i>omit, insert—</i>	2
‘corrective services officer ¹⁷ ’.	3
5. Section 4A(1)(a)(i)—	4
<i>omit, insert—</i>	5
‘(i) a corrective services officer or employee ¹⁸ under the <i>Corrective Services (Administration) Act 1988</i> ; or’.	6 7
6. Sections 4A(1)(b) and (2), 10(1)(c), 64(c), 68(3), 74(3)(a), 81(2), (4) and (6), 85(3), 122(2) and (4), 136(1)(c) and (2), 137(2)(b), 142, 158(2)(e), 161(3)(e) and (5)(c) and 176(1)(a), ‘commission’—	8 9 10
<i>omit, insert—</i>	11
‘chief executive (corrective services)’.	12
7. Sections 9(2)(n), 57(2), 66(1)(a) to (f), 67, 68(2), 81(1)(a)(ii) and (3), 92(1), 93(1)(b) to (g), 95(1)(c), 103(1)(b) to (g), 105(1)(c), 114(1)(b) to (i) and (2), 116(1)(c), 122(1)(a)(ii) and (3), 128(4)(c), 129(4)(c), 133, 135, 139(1), 146A(1)(b) and 174(2), ‘commission’—	13 14 15 16
<i>omit, insert—</i>	17
‘corrective services’.	18
8. Section 74(1), ‘authorised commission officer’—	19
<i>omit, insert—</i>	20
‘authorised corrective services officer’.	21

¹⁷ For the definition of “**corrective services officer**”, see *Corrective Services (Administration) Act 1988*, section 7(4).

¹⁸ For the definition of “**corrective services employee**”, see *Corrective Services (Administration) Act 1988*, section 7(5).

SCHEDULE (continued)

9. Section 74(1), ‘the commission’—	1
<i>omit, insert—</i>	2
‘the chief executive (corrective services)’.	3
10. Section 84(1), ‘under the seal of the commission, or’—	4
<i>omit.</i>	5
11. Section 84(1), ‘an authorised commission officer’—	6
<i>omit, insert—</i>	7
‘the chief executive (corrective services) or an authorised corrective services officer’.	8
	9
12. Section 84(2), ‘commission’s opinion’—	10
<i>omit, insert—</i>	11
‘opinion of the chief executive (corrective services)’.	12
 PUBLIC TRUSTEE ACT 1978	13
 1. Section 92(1), ‘Queensland Corrective Services Commission (the “commission”)’—	14
	15
<i>omit, insert—</i>	16
‘chief executive (corrective services) ¹⁹ ’.	17

¹⁹ For the definition of “**chief executive (corrective services)**”, see *Corrective Services (Administration) Act 1988*, section 7(6).

SCHEDULE (continued)

2. Section 92(2), ‘by it the commission’—	1
<i>omit, insert—</i>	2
‘, the chief executive (corrective services)’.	3
3. Sections 92(2)(c) and (4) to (7) and 93(1), (3) and (4), ‘commission’—	4
<i>omit, insert—</i>	5
‘chief executive (corrective services)’.	6
4. Section 92(6), ‘it’—	7
<i>omit, insert—</i>	8
‘the chief executive (corrective services)’.	9
5. Section 92(7), ‘it,’—	10
<i>omit.</i>	11
6. Section 93(2), ‘by the commission it’—	12
<i>omit, insert—</i>	13
‘, the chief executive (corrective services)’.	14
SUPERANNUATION (STATE PUBLIC SECTOR) ACT	15
1990	16
1. Section 2(1), definition “unit of the State public sector”, paragraph (d)—	17
<i>omit.</i>	18
	19
	20

SCHEDULE (continued)

WEAPONS ACT 1990**1. Section 2(8), definition “government services entity”,
paragraph (c)—***omit.***WHISTLEBLOWERS PROTECTION ACT 1994****1. Schedule 3, examples under section 26(1)(a) of the Act, item 3 and
examples under section 26(1)(b) of the Act, item 4, ‘a prison officer
employed by the Corrective Services Commission’—***omit, insert—**‘a custodial correctional officer under the Corrective Services
(Administration) Act 1988’.***2. Schedule 3, examples under section 26(1)(a) of the Act, item 3 and
examples under section 26(1)(b) of the Act, item 4, ‘another prison
officer’—***omit, insert—**‘another custodial correctional officer’.***3. Schedule 3, examples under section 26(1)(a) of the Act, ‘the
Corrective Services Commission’—***omit, insert—**‘the department in which he or she is employed’.*

4. Schedule 3, examples under section 26(1)(a) of the Act, ‘The Corrective Services Commission’—	1
	2
<i>omit, insert—</i>	3
‘The department’.	4
WORKCOVER QUEENSLAND ACT 1996	5
1. Section 23(1)(b), ‘Queensland Corrective Services Commission’—	6
	7
<i>omit, insert—</i>	
‘chief executive (corrective services) ²⁰ ’.	8

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²⁰ For the definition of “**chief executive (corrective services)**”, see *Corrective Services (Administration) Act 1988*, section 7(6).