



Queensland

Justice (Fair Trading) Legislation Amendment Bill 2008



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Contents

		Page
Part 1	Preliminary	
1	Short title	8
2	Commencement	8
Part 2	Amendment of Body Corporate and Community Management Act 1997	
3	Act amended in pt 2 and schedule	8
4	Amendment of s 229 (Exclusivity of dispute resolution provisions)	8
5	Amendment of s 266A (Application of pt 9 to agreement referred for consent order)	9
6	Amendment of s 271 (Investigative powers of adjudicator)	9
7	Amendment of s 289 (Right to appeal to District Court or CCT)	9
8	Amendment of sch 6 (Dictionary)	9
Part 3	Amendment of Churches of Christ, Scientist, Incorporation Act 1964	
9	Act amended in pt 3	10
10	Insertion of new ss 7A and 7B	10
	7A Winding-up of the Second Church of Christ, Scientist, Brisbane	10
	7B Provision for the winding-up of other churches	11
Part 4	Amendment of Commercial and Consumer Tribunal Act 2003	
11	Act amended in pt 4 and schedule	12
12	Replacement of s 41 (Service of documents)	12
	41 Service of documents	12
13	Insertion of new s 43A	12
	43A Substituted service	13
14	Amendment of s 53 (Inclusion of parties)	13

Contents

15	Amendment of s 92 (When decision takes effect)	13
16	Amendment of s 93 (Registration and enforcement of decisions)	13
17	Amendment of s 95 (Reopening an order if party does not appear)	14
18	Amendment of s 100 (Appeals)	14
19	Amendment of s 114 (Hearing of proceedings)	14
20	Insertion of new pt 9, div 3	15
	Division 3 Transitional provision for Justice (Fair Trading) Legislation Amendment Act 2008	
	169 Registration of tribunal decisions	15
21	Amendment of sch 2 (Dictionary)	15
Part 5	Amendment of Fair Trading Act 1989	
22	Act amended in pt 5	16
23	Amendment of s 91L (Register of undertakings)	16
Part 6	Amendment of Introduction Agents Act 2001	
24	Act amended in pt 6	16
25	Amendment of s 19 (Application for licence)	16
26	Amendment of s 23 (Inquiries about applicant's suitability to hold licence)	17
27	Insertion of new ss 23A and 23B	17
	23A Costs of criminal history report.	17
	23B Confidentiality of criminal history	18
28	Amendment of s 25 (Renewal of licence)	18
29	Amendment of s 26 (Grounds for suspending, cancelling, refusing to renew or imposing conditions on a licence)	19
Part 7	Amendment of Partnership Act 1891	
30	Act amended in pt 7	19
31	Amendment of s 70 (Definitions for ch 4)	19
32	Amendment of s 75 (Who may apply for registration)	20
33	Amendment of s 76 (How is an application made)	20
34	Amendment of s 83 (Powers of partnership)	20
35	Amendment of s 87 (Limited partner not to take part in the management of the incorporated limited partnership)	20
36	Amendment of s 97 (Winding up on chief executive's certificate)	20
37	Amendment of s 109 (Lodgment of certain documents with the chief executive)	21
38	Amendment of sch (Dictionary)	21

Part 8	Amendment of Property Agents and Motor Dealers Act 2000	
39	Act amended in pt 8	21
40	Amendment of s 5 (Exemption—public officials)	21
41	Amendment of s 21 (Steps involved in obtaining a licence)	21
42	Amendment of s 22 (Application for licence)	22
43	Amendment of s 32 (Investigations about suitability of applicants and licensees)	22
44	Insertion of new s 32A	23
	32A Costs of criminal history report.	23
45	Amendment of s 33 (Criminal history is confidential document)	24
46	Amendment of s 57 (Application for renewal).	24
47	Amendment of s 60 (Application for restoration)	24
48	Amendment of s 64 (Appointment of substitute licensee—principal licensee—individual)	25
49	Amendment of s 65 (Appointment of substitute licensee—employed licensee in charge of a licensee’s business at a place)	26
50	Amendment of s 66 (Appointment of substitute licensee—pastoral house manager in charge of a licensee’s business at a place)	26
51	Amendment of s 67 (Chief executive may appoint or refuse to appoint substitute licensee)	26
52	Amendment of s 74 (Immediate suspension).	27
53	Amendment of s 84 (Application for registration)	27
54	Amendment of s 87 (Investigations about suitability of applicants)	27
55	Insertion of new s 87A	27
	87A Costs of criminal history report.	28
56	Amendment of s 88 (Criminal history is confidential document)	28
57	Amendment of s 94 (Application for renewal).	28
58	Amendment of s 97 (Application for restoration)	29
59	Amendment of s 104 (Immediate suspension).	29
60	Amendment of s 410 (Agreements with financial institutions)	30
61	Amendment of s 469 (Definitions for ch 14).	30
62	Amendment of s 477 (Inspector may investigate claims and prepare report)	30
63	Amendment of s 485 (Registrar to fix hearing date and issue attendance notices)	30

Contents

64	Amendment of s 496 (Grounds for starting disciplinary proceedings)	31
65	Amendment of sch 2 (Dictionary)	31
Part 9	Residential Services (Accreditation) Act 2002	
66	Act amended in pt 9 and schedule	31
67	Amendment of s 10 (Application for registration)	32
68	Amendment of s 15 (Cancellation of registration by chief executive)	32
69	Amendment of s 24 (Obtaining criminal history report)	32
70	Insertion of new s 24A	33
	24A Costs of criminal history report.	33
71	Amendment of s 27 (Destruction of criminal history report)	33
72	Amendment of s 61 (Becoming a service provider)	34
Part 10	Amendment of Retirement Villages Act 1999	
73	Act amended in pt 10 and schedule	34
74	Amendment of s 27 (Application for registration of a retirement village scheme)	35
75	Amendment of s 88A (Investigations about scheme operators etc.)	35
76	Insertion of new s 88AA	35
	88AA Costs of criminal history report.	35
77	Amendment of s 88B (Criminal history is confidential document)	36
78	Amendment of s 90C (Responsibility of former resident for capital improvement)	36
Part 11	Amendment of Second-hand Dealers and Pawnbrokers Act 2003	
79	Act amended in pt 11	37
80	Amendment of s 8 (Investigations about suitability of applicants and licensees)	37
81	Insertion of new s 8A	37
	8A Costs of criminal history report.	37
82	Amendment of s 9 (Criminal history is a confidential document)	38
83	Amendment of s 10 (Application for licence)	38
84	Amendment of s 13 (Renewal of licence)	39
85	Amendment of s 14 (Restoration of licence)	39
86	Amendment of s 19 (Grounds for suspending, cancelling, refusing to renew or restore, or imposing conditions on a licence)	40

Part 12	Amendment of Security Providers Act 1993	
87	Act amended in pt 12	40
88	Amendment of s 10 (Application)	40
89	Amendment of s 11 (Entitlement to licences—individuals)	40
90	Insertion of new s 12AA	41
	12AA Costs of criminal history report.	41
91	Amendment of s 20 (Renewal of licence).	42
92	Amendment of s 21 (Grounds for suspension, cancellation or refusal to renew)	42
93	Insertion of new pt 6.	42
	Part 6 Declaratory provision	
	64 Declaratory provision for s 29.	42
94	Amendment of sch 1, pt 1 (Existing provisions)	43
95	Amendment of sch 2 (Dictionary).	43
Part 13	Amendment of Tourism Services Act 2003	
96	Act amended in pt 13	44
97	Omission of s 11 (Notes in text)	44
98	Amendment of s 15 (Inquiries about applicant's suitability to hold registration).	44
99	Insertion of new s 15A	45
	15A Costs of criminal history report.	45
100	Amendment of s 20 (Application for registration)	45
101	Amendment of s 22 (Application for renewal of registration)	46
102	Amendment of s 82 (Grounds for starting disciplinary proceedings)	47
Part 14	Amendment of Travel Agents Act 1988	
103	Act amended in pt 14 and schedule.	47
104	Amendment of s 6 (Definitions)	47
105	Amendment of s 14 (Application for a licence).	47
106	Insertion of new ss 15A–15C	48
	15A Investigation of applicants	48
	15B Costs of criminal history report.	49
	15C Confidentiality of criminal history	49
Part 15	Other minor amendments	
107	Acts amended in schedule	50
Schedule	Minor amendments	51
	Body Corporate and Community Management Act 1997.	51

Contents

Building Units and Group Titles Act 1980	51
Commercial and Consumer Tribunal Act 2003	52
Liens on Crops of Sugar Cane Act 1931	52
Residential Services (Accreditation) Act 2002	52
Retail Shop Leases Act 1994	53
Retirement Villages Act 1999	53
Travel Agents Act 1988	54

2008

A Bill

for

An Act to amend the *Body Corporate and Community Management Act 1997*, the *Building Units and Group Titles Act 1980*, the *Churches of Christ, Scientist, Incorporation Act 1964*, the *Commercial and Consumer Tribunal Act 2003*, the *Fair Trading Act 1989*, the *Introduction Agents Act 2001*, the *Liens on Crops of Sugar Cane Act 1931*, the *Partnership Act 1891*, the *Property Agents and Motor Dealers Act 2000*, the *Residential Services (Accreditation) Act 2002*, the *Retail Shop Leases Act 1994*, the *Retirement Villages Act 1999*, the *Second-hand Dealers and Pawnbrokers Act 2003*, the *Security Providers Act 1993*, the *Tourism Services Act 2003* and the *Travel Agents Act 1988* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Justice (Fair Trading) Legislation Amendment Act 2008*. 4
5

Clause 2 Commencement 6

This Act commences on a day to be fixed by proclamation. 7

Part 2 Amendment of Body Corporate and Community Management Act 1997 8
9
10

Clause 3 Act amended in pt 2 and schedule 11

This part and the schedule amend the *Body Corporate and Community Management Act 1997*. 12
13

Clause 4 Amendment of s 229 (Exclusivity of dispute resolution provisions) 14
15

Section 229(5)— 16
omit. 17

Clause 5	Amendment of s 266A (Application of pt 9 to agreement referred for consent order)	1 2
	(1) Section 266A(3)(e)—	3
	<i>omit.</i>	4
	(2) Section 266A(3)(d)—	5
	<i>renumber</i> as section 266A(3)(e).	6
	(3) Section 266A(3)—	7
	<i>insert</i> —	8
	‘(d) a reference in sections 271 and 273 to an affected person were a reference to an affected person for the application that resulted in the agreement; and’.	9 10 11
Clause 6	Amendment of s 271 (Investigative powers of adjudicator)	12
	(1) Section 271(5), ‘if asked’—	13
	<i>omit, insert</i> —	14
	‘as requested’.	15
	(2) Section 271(5)(b), before ‘give’—	16
	<i>insert</i> —	17
	‘in accordance with the request,’.	18
Clause 7	Amendment of s 289 (Right to appeal to District Court or CCT)	19 20
	Section 289(1)(d)(i), ‘288A’—	21
	<i>omit, insert</i> —	22
	‘288A, definition <i>order</i> ’.	23
Clause 8	Amendment of sch 6 (Dictionary)	24
	Schedule 6, definition <i>complex dispute</i> , paragraph (b), ‘129,’—	25 26
	<i>omit.</i>	27

[s 9]

Part 3	Amendment of Churches of Christ, Scientist, Incorporation Act 1964	1 2 3
Clause 9	Act amended in pt 3	4
	This part amends the <i>Churches of Christ, Scientist, Incorporation Act 1964</i> .	5 6
Clause 10	Insertion of new ss 7A and 7B	7
	After section 7—	8
	<i>insert—</i>	9
‘7A	Winding-up of the Second Church of Christ, Scientist, Brisbane	10 11
	‘(1) The Second Church of Christ, Scientist, Brisbane (the <i>second church</i>) is dissolved.	12 13
	‘(2) The dissolution of the second church is taken to be a winding-up of an incorporated association under the <i>Associations Incorporation Act 1981</i> , section 90 and section 91(2) and (3) of that Act applies to the dissolution as if the second church were wound-up by the Supreme Court under section 90.	14 15 16 17 18 19
	‘(3) The following are vested in the First Church of Christ, Scientist, Brisbane—	20 21
	(a) all real and personal property belonging to or held in trust for the second church immediately before the commencement of this section; and	22 23 24
	(b) all the second church’s rights and obligations as in force immediately before the commencement.	25 26
	‘(4) All legal proceedings that might have been started or continued by or against the second church immediately before the commencement may be started or continued against the First Church of Christ, Scientist, Brisbane.	27 28 29 30

‘(5)	The chief executive must, to the extent applicable, ask the registrar of titles to record the vesting of any property under subsection (3).	1 2 3
‘(6)	The registrar of titles must, on the chief executive’s request, record the vesting in the freehold land register.	4 5
‘(7)	No fee is payable for recording the vesting under subsection (6).	6 7
‘7B	Provision for the winding-up of other churches	8
‘(1)	A church is an incorporated association and may be wound-up under part 10.	9 10
‘(2)	Despite the <i>Associations Incorporation Act 1981</i> , section 92, if a church is wound-up under part 10, a regulation may provide for the vesting of surplus assets of the church.	11 12 13
‘(3)	In this section—	14
	<i>church</i> means any of the following if in existence at any time after the day after the commencement of this section—	15 16
	(a) a church mentioned in section 2, other than the Second Church of Christ, Scientist, Brisbane;	17 18
	(b) a church incorporated under section 4.	19
	<i>part 10</i> means the <i>Associations Incorporation Act 1981</i> , part 10.	20 21
	<i>surplus assets</i> see the <i>Associations Incorporation Act 1981</i> , section 92.’.	22 23

[s 11]

Part 4	Amendment of Commercial and Consumer Tribunal Act 2003	1 2
Clause 11	Act amended in pt 4 and schedule	3
	This part and the schedule amend the <i>Commercial and Consumer Tribunal Act 2003</i> .	4 5
Clause 12	Replacement of s 41 (Service of documents)	6
	Section 41—	7
	<i>omit, insert—</i>	8
‘41	Service of documents	9
	‘(1) A document may be served under this Act, or under an empowering Act for the purposes of this Act—	10 11
	(a) for a document to be served on a licensee—by leaving it at, or sending it to, the licensee’s address in the register of licences under the relevant empowering Act; or	12 13 14
	(b) whether or not paragraph (a) applies—as stated in this Act.	15 16
	‘(2) If personal service of a document is required under this Act, or under an empowering Act for the purposes of this Act, personal service may be effected in the same way as an originating process that is required to be served personally under the <i>Uniform Civil Procedure Rules 1999</i> may be served.	17 18 19 20 21
	‘(3) Subsection (1) does not limit the <i>Acts Interpretation Act 1954</i> , section 39 or a provision of a relevant empowering Act providing for the service of documents.’	22 23 24
Clause 13	Insertion of new s 43A	25
	After section 43—	26
	<i>insert—</i>	27

‘43A	Substituted service	1
‘(1)	If, for any reason, it is impracticable to serve a document in the way required under section 41, or under an empowering Act for the purposes of this Act, the tribunal may make an order substituting another way of serving the document.	2 3 4 5
‘(2)	The tribunal may, in the order, state the steps to be taken, instead of service, for bringing the document to the attention of the person to be served.	6 7 8
‘(3)	The tribunal may, in the order, specify that the document is to be taken to have been served on the happening of a stated event or at the end of a stated time.	9 10 11
‘(4)	The tribunal may make an order under this section even though the person to be served is not in Queensland or was not in Queensland when the proceeding started.’	12 13 14
Clause 14	Amendment of s 53 (Inclusion of parties)	15
	Section 53(2), after ‘initiative’—	16
	<i>insert—</i>	17
	‘or, for a fund claim, on the application of the chief executive (PAMDA)’.	18 19
Clause 15	Amendment of s 92 (When decision takes effect)	20
	Section 92—	21
	<i>insert—</i>	22
	‘(d) if the proceeding involves a fund claim and paragraph (a) does not apply—when the decision is published.’	23 24
Clause 16	Amendment of s 93 (Registration and enforcement of decisions)	25 26
(1)	Section 93(1), after ‘A party’—	27
	<i>insert—</i>	28
	‘or, for a fund claim, the chief executive (PAMDA)’.	29

[s 17]

- (2) Section 93(1)(b), after ‘the party’s’— 1
insert— 2
‘or, for a fund claim, the chief executive (PAMDA)’s’. 3
- (3) Section 93— 4
insert— 5
- ‘(1A) It is sufficient compliance with subsection (1)(b)(i) if the 6
party’s affidavit states that service of the decision was effected 7
on the person against whom the decision was given by 8
substituted service in the way stated by the tribunal in a stated 9
order.’. 10

- Clause 17 Amendment of s 95 (Reopening an order if party does not 11
appear) 12**
- Section 95(2)— 13
omit, insert— 14
- ‘(2) An application under this section must be made— 15
- (a) if the order involves a fund claim and is an order that 16
must be published under section 91(1)(c)—within 14 17
days after the order is published; or 18
- (b) otherwise—within 14 days after the order is served on 19
the entity.’. 20

- Clause 18 Amendment of s 100 (Appeals) 21**
- Section 100(2), from ‘chief executive’ to ‘administered’— 22
omit, insert— 23
‘chief executive (PAMDA)’ 24

- Clause 19 Amendment of s 114 (Hearing of proceedings) 25**
- Section 114— 26
insert— 27

‘(3A) If the matter involves a fund claim, the chief executive (PAMDA) may also make submissions to the tribunal, including submissions about liability for the claimant’s financial loss.

Note—

See *Property Agents and Motor Dealers Act 2000*, sections 490 and 530 about who is liable for a claimant’s loss.’.

Clause 20 Insertion of new pt 9, div 3

Part 9—

insert—

‘Division 3 Transitional provision for Justice (Fair Trading) Legislation Amendment Act 2008

‘169 Registration of tribunal decisions

‘(1) This section applies to a decision of the tribunal involving a fund claim.

‘(2) The chief executive (PAMDA) may register the decision as provided under section 93 as in force after the commencement of this section even though the decision was given before the commencement.’.

Clause 21 Amendment of sch 2 (Dictionary)

Schedule 2—

insert—

‘chief executive (PAMDA) means the chief executive of the department in which the *Property Agents and Motor Dealers Act 2000* is administered.

fund claim means a claim against the claim fund established under the *Property Agents and Motor Dealers Act 2000*, section 408.’.

[s 22]

Part 5	Amendment of Fair Trading Act 1989	1 2
Clause 22	Act amended in pt 5	3
	This part amends the <i>Fair Trading Act 1989</i> .	4
Clause 23	Amendment of s 91L (Register of undertakings)	5
	Section 91L—	6
	<i>insert—</i>	7
	‘(4) The commissioner may publish the information contained in the register on the department’s web site.’	8 9
Part 6	Amendment of Introduction Agents Act 2001	10 11
Clause 24	Act amended in pt 6	12
	This part amends the <i>Introduction Agents Act 2001</i> .	13
Clause 25	Amendment of s 19 (Application for licence)	14
	(1) Section 19(2)(c)—	15
	<i>omit, insert—</i>	16
	‘(c) be accompanied by—	17
	(i) the application fee prescribed under a regulation;	18
	and	19
	(ii) if, before or when the application is made, the chief executive requires the payment of costs under section 23A(1)—the amount of the costs required to be paid.’	20 21 22 23

-
- (2) Section 19— 1
insert— 2
- ‘(6) A requirement mentioned in subsection (2)(c)(ii) is 3
sufficiently made of the applicant if it is made generally of 4
applicants in the approved form or notified on the 5
department’s web site.’. 6

- Clause 26 Amendment of s 23 (Inquiries about applicant’s suitability to hold licence)** 7
8
- (1) Section 23(2), ‘written’— 9
omit. 10
- (2) Section 23(4), from ‘offence’— 11
omit, insert— 12
‘offence.’. 13
- (3) Section 23(4)— 14
renumber as section 23(5). 15
- (4) Section 23— 16
insert— 17
- ‘(4) If the criminal history of the applicant or the named associated 18
person includes a conviction recorded against the applicant or 19
the named associated person, the commissioner’s report must 20
be written.’. 21

- Clause 27 Insertion of new ss 23A and 23B** 22
After section 23— 23
insert— 24
- ‘23A Costs of criminal history report** 25
- ‘(1) The chief executive may require an applicant to pay the 26
reasonable, but no more than actual, costs of obtaining a 27
report under section 23 about the applicant or an associated 28
person of the applicant. 29

[s 28]

- ‘(2) The chief executive must refund to the applicant an amount paid under the requirement if—
- (a) the chief executive refuses the application without asking for the report; or
 - (b) the applicant withdraws the application before the chief executive asks for the report.
- ‘(3) In this section—
applicant includes proposed applicant.

‘23B Confidentiality of criminal history

- ‘(1) A public service employee performing functions under this Act must not, directly or indirectly, disclose to anyone else a report about a person’s criminal history, or information contained in the report, given under section 23.
Maximum penalty—100 penalty units.
- ‘(2) However, the person does not contravene subsection (1) if—
- (a) disclosure of the report or information to someone else is authorised by the chief executive to the extent necessary to perform a function under or in relation to this Act; or
 - (b) the disclosure is otherwise required or permitted by law.
- ‘(3) The chief executive must destroy a written report about a person’s criminal history as soon as practicable after considering the person’s suitability to hold a licence.’.

Clause 28 Amendment of s 25 (Renewal of licence)

- (1) Section 25(2)(c)—
omit, insert—
- ‘(c) be accompanied by—
- (i) the application fee prescribed under a regulation; and

	(ii) if, before or when the application is made, the chief executive requires the payment of costs under section 23A(1)—the amount of the costs required to be paid.’.	1 2 3 4
	(2) Section 25— <i>insert</i> —	5 6
	‘(6) A requirement mentioned in subsection (2)(c)(ii) is sufficiently made of the applicant if it is made generally of applicants in the approved form or notified on the department’s web site.’.	7 8 9 10
Clause 29	Amendment of s 26 (Grounds for suspending, cancelling, refusing to renew or imposing conditions on a licence) Section 26(a), from ‘licence’ to ‘incorrect’— <i>omit, insert</i> — ‘licence, or a renewal of the licence, was obtained because of materially incorrect’.	11 12 13 14 15 16
Part 7	Amendment of Partnership Act 1891	17 18
Clause 30	Act amended in pt 7 This part amends the <i>Partnership Act 1891</i> .	19 20
Clause 31	Amendment of s 70 (Definitions for ch 4) Section 70— <i>insert</i> — ‘ <i>ESVCLP</i> means an ESVCLP within the meaning of the <i>Venture Capital Act 2002</i> (Cwlth).’.	21 22 23 24 25

[s 32]

Clause 32	Amendment of s 75 (Who may apply for registration)	1
	Section 75(2)(a)(i) and (ii), after ‘VCLP’—	2
	<i>insert—</i>	3
	‘, ESVCLP’.	4
Clause 33	Amendment of s 76 (How is an application made)	5
	Section 76(4)(c) and (d), after ‘VCLP’—	6
	<i>insert—</i>	7
	‘, ESVCLP’.	8
Clause 34	Amendment of s 83 (Powers of partnership)	9
	Section 83(3), after ‘VCLP’—	10
	<i>insert—</i>	11
	‘, ESVCLP’.	12
Clause 35	Amendment of s 87 (Limited partner not to take part in the management of the incorporated limited partnership)	13
	Section 87(3)(1), after ‘VCLP’—	14
	<i>insert—</i>	15
	‘, ESVCLP’.	16
Clause 36	Amendment of s 97 (Winding up on chief executive’s certificate)	17
	Section 97(1)(b), after ‘VCLP’—	18
	<i>insert—</i>	19
	‘, ESVCLP’.	20
		21
		22

Clause 37	Amendment of s 109 (Lodgment of certain documents with the chief executive)	1 2
	Section 109(1) and (3)(a), after ‘VCLP’—	3
	<i>insert</i> —	4
	‘, ESVCLP’.	5
Clause 38	Amendment of sch (Dictionary)	6
	Schedule—	7
	<i>insert</i> —	8
	‘ <i>ESVCLP</i> , for chapter 4, see section 70.’.	9
Part 8	Amendment of Property Agents and Motor Dealers Act 2000	10 11
Clause 39	Act amended in pt 8	12
	This part amends the <i>Property Agents and Motor Dealers Act 2000</i> .	13 14
Clause 40	Amendment of s 5 (Exemption—public officials)	15
	Section 5(3), definition <i>bailiff</i> , ‘ <i>District Court Act 1967</i> ’—	16
	<i>omit, insert</i> —	17
	‘ <i>District Court of Queensland Act 1967</i> ’.	18
Clause 41	Amendment of s 21 (Steps involved in obtaining a licence)	19 20
	Section 21(2)(b)—	21
	<i>omit, insert</i> —	22
	‘(b) paying—	23

[s 42]

	(i) the fees prescribed under a regulation; and	1
	(ii) if, before or when the application is made, a criminal history costs requirement is made of the applicant—the amount of the costs required to be paid; and’.	2 3 4 5
Clause 42	Amendment of s 22 (Application for licence)	6
	(1) Section 22(2)(c)—	7
	<i>renumber</i> as section 22(2)(d).	8
	(2) Section 22(2)—	9
	<i>insert</i> —	10
	‘(c) if, before or when the application is made, a criminal history costs requirement is made of the applicant—the amount of the costs required to be paid; and’.	11 12 13
Clause 43	Amendment of s 32 (Investigations about suitability of applicants and licensees)	14 15
	(1) Section 32(1)(b) and (c)—	16
	<i>renumber</i> as section 32(1)(c) and (d).	17
	(2) Section 32(1)—	18
	<i>insert</i> —	19
	‘(b) if the applicant or licensee intends carrying on, or carries on, business in partnership or in conjunction with others—each member of the partnership or each person with whom the applicant or licensee intends carrying on, or carries on, business in partnership or in conjunction;’.	20 21 22 23 24
	(3) Section 32(2), ‘written’—	25
	<i>omit</i> .	26
	(4) Section 32—	27
	<i>insert</i> —	28

-
- ‘(5) If the criminal history of the person includes a conviction recorded against the person, the commissioner’s report must be written. 1
2
3
- ‘(6) In this section— 4
applicant includes a nominated person mentioned in section 5
64(3), 65(4) or 66(4).’. 6

Clause 44 Insertion of new s 32A 7

After section 32— 8

insert— 9

‘32A Costs of criminal history report 10

- ‘(1) The chief executive may require an applicant or licensee to pay the reasonable, but no more than actual, costs of obtaining a report under section 32 about— 11
12
13
- (a) the applicant or licensee; or 14
 - (b) if the applicant or licensee intends carrying on, or carries on, business in partnership or in conjunction with others—each member of the partnership or each person with whom the applicant or licensee intends carrying on, or carries on, business in partnership or in conjunction; or 15
16
17
18
19
20
 - (c) if the applicant or licensee is a corporation—the corporation’s executive officers; or 21
22
 - (d) a business associate of the applicant or licensee; or 23
 - (e) if the applicant has made an application under section 64(3), 65(4) or 66(4)—the person nominated by the applicant under section 64(3), 65(4) or 66(4). 24
25
26
- ‘(2) The requirement is a *criminal history costs requirement*. 27
- ‘(3) The requirement is sufficiently made of the applicant or licensee if it is made generally of applicants of that type in the relevant approved form or notified on the department’s web site for applicants or licensees of that type. 28
29
30
31

[s 45]

- ‘(4) The chief executive must refund to an applicant an amount paid under the requirement if—
- (a) the chief executive refuses the application without asking for the report; or
 - (b) the applicant withdraws the application before the chief executive asks for the report.
- ‘(5) In this section—
applicant includes proposed applicant.’.

Clause 45 Amendment of s 33 (Criminal history is confidential document)

- (1) Section 33, heading—
omit, insert—

‘33 Confidentiality of criminal history’.

- (2) Section 33(3), ‘the report’—
omit, insert—
‘a written report about a person’s criminal history’.

Clause 46 Amendment of s 57 (Application for renewal)

- (1) Section 57(2)(d)—
insert—
‘(iv) if, before or when the application is made, a criminal history costs requirement is made of the licensee—the amount of the costs required to be paid.’.
- (2) Section 57(4A) to (6)—
renumber as section 57(5) to (7).

Clause 47 Amendment of s 60 (Application for restoration)

- (1) Section 60(1), ‘the licensee’—

omit, insert— 1

‘the person (**former licensee**)’.

(2) Section 60(3), (4A) before ‘licensee’— 3

insert— 4

‘former’.

(3) Section 60(2)(d) and (6), definition *relevant audit period*,
before ‘licensee’s’— 6
7

insert— 8

‘former’.

(4) Section 60(2)(e)(iv), from ‘licensee’ to ‘licensee’s’— 10

omit, insert— 11

‘former licensee was required as a condition of the former
licensee’s’.

(5) Section 60(2)(e)— 14

insert— 15

‘(v) if, before or when the application is made, a
criminal history costs requirement is made of the
former licensee—the amount of the costs required
to be paid.’.

(6) Section 60(5), before ‘licensee’, first and second mentions— 20

insert— 21

‘former’.

Clause 48 **Amendment of s 64 (Appointment of substitute
licensee—principal licensee—individual)** 23
24

Section 64(5)(c)— 25

omit, insert— 26

‘(c) the application fee prescribed under a regulation; and 27

[s 49]

- (d) if, before or when the application is made, a criminal history costs requirement is made of the principal licensee—the amount of the costs required to be paid.’ 1
2
3

Clause 49	Amendment of s 65 (Appointment of substitute licensee—employed licensee in charge of a licensee’s business at a place)	4 5 6
	Section 65(5)(c)—	7
	<i>omit, insert—</i>	8
	‘(c) the application fee prescribed under a regulation; and	9
	(d) if, before or when the application is made, a criminal history costs requirement is made of the principal licensee—the amount of the costs required to be paid.’	10 11 12
Clause 50	Amendment of s 66 (Appointment of substitute licensee—pastoral house manager in charge of a licensee’s business at a place)	13 14 15
	Section 66(5)(c)—	16
	<i>omit, insert—</i>	17
	‘(c) the application fee prescribed under a regulation; and	18
	(d) if, before or when the application is made, a criminal history costs requirement is made of the pastoral house—the amount of the costs required to be paid.’	19 20 21
Clause 51	Amendment of s 67 (Chief executive may appoint or refuse to appoint substitute licensee)	22 23
	Section 67(2)(a), after ‘is’—	24
	<i>insert—</i>	25
	‘, under part 4.’	26

Clause 52	Amendment of s 74 (Immediate suspension)	1
	Before section 74(1)(a)—	2
	<i>insert—</i>	3
	‘(aa) the chief executive considers, on reasonable grounds, that a licensee’s licence was obtained, or renewed or restored, because of materially incorrect or misleading information; or’.	4 5 6 7
Clause 53	Amendment of s 84 (Application for registration)	8
	(1) Section 84(2)(c)—	9
	<i>renumber</i> as section 84(2)(d).	10
	(2) Section 84(2)—	11
	<i>insert—</i>	12
	‘(c) if, before or when the application is made, a criminal history costs requirement is made of the applicant—the amount of the costs required to be paid; and’.	13 14 15 16
Clause 54	Amendment of s 87 (Investigations about suitability of applicants)	17 18
	(1) Section 87(2), ‘written’—	19
	<i>omit.</i>	20
	(2) Section 87—	21
	<i>insert—</i>	22
	‘(5) If the criminal history of the applicant includes a conviction recorded against the applicant, the commissioner’s report must be written.’.	23 24 25
Clause 55	Insertion of new s 87A	26
	After section 87—	27
	<i>insert—</i>	28

[s 56]

‘87A	Costs of criminal history report	1
‘(1)	The chief executive may require an applicant to pay the reasonable, but no more than actual, costs of obtaining a report under section 87 about the applicant.	2 3 4
‘(2)	The requirement is a <i>criminal history costs requirement</i> .	5
‘(3)	The requirement is sufficiently made of the applicant if it is made generally of applicants for, or for the renewal or restoration of, registration in the relevant approved form or notified on the department’s web site for applications of that type.	6 7 8 9 10
‘(4)	The chief executive must refund to the applicant an amount paid under the requirement if—	11 12
	(a) the chief executive refuses the application without asking for the report; or	13 14
	(b) the applicant withdraws the application before the chief executive asks for the report.	15 16
‘(5)	In this section—	17
	<i>applicant</i> includes proposed applicant.’.	18
Clause 56	Amendment of s 88 (Criminal history is confidential document)	19 20
(1)	Section 88, heading—	21
	<i>omit, insert—</i>	22
‘88	Confidentiality of criminal history’.	23
(2)	Section 88(3), ‘the report’—	24
	<i>omit, insert—</i>	25
	‘a written report about a person’s criminal history’.	26
Clause 57	Amendment of s 94 (Application for renewal)	27
	Section 94(2)(d)—	28
	<i>insert—</i>	29

	‘(iii) if, before or when the application is made, a criminal history costs requirement is made of the registered employee—the amount of the costs required to be paid.’.	1 2 3 4
Clause 58	Amendment of s 97 (Application for restoration)	5
(1)	Section 97(1), ‘the employee’— <i>omit, insert—</i> ‘the person (<i>former employee</i>)’.	6 7 8
(2)	Section 97(2)(d), ‘the employee’— <i>omit, insert—</i> ‘former employee’.	9 10 11
(3)	Section 97(2)(e)— <i>insert—</i> ‘(iv) if, before or when the application is made, a criminal history costs requirement is made of the former employee—the amount of the costs required to be paid.’.	12 13 14 15 16 17
(4)	Section 97(3), ‘the applicant’— <i>omit, insert—</i> ‘the former employee’.	18 19 20
Clause 59	Amendment of s 104 (Immediate suspension)	21
	Before section 104(1)(a)— <i>insert—</i> ‘(aa) a registered employee’s registration certificate, or a renewal or restoration of the registration certificate, was obtained because of materially incorrect or misleading information; or’.	22 23 24 25 26 27

[s 60]

Clause 60	Amendment of s 410 (Agreements with financial institutions)	1 2
	Section 410(2)—	3
	<i>omit, insert—</i>	4
	‘(2) The chief executive may enter into an agreement only with the Minister’s approval.’.	5 6
Clause 61	Amendment of s 469 (Definitions for ch 14)	7
	Section 469, definition <i>complaint—</i>	8
	<i>omit, insert—</i>	9
	‘ <i>complaint</i> , for a marketeer proceeding, see section 500B(1).’.	10
Clause 62	Amendment of s 477 (Inspector may investigate claims and prepare report)	11 12
	(1) Section 477, heading—	13
	<i>omit, insert—</i>	14
	‘477 Inspector may investigate claims and report and related documents may be referred to the tribunal’.	15 16
	(2) Section 477—	17
	<i>insert—</i>	18
	‘(4) The chief executive may also give documents relating to the claim to the claimant and the respondent (<i>the parties</i>) and, if the claim is to be decided by the tribunal, to the chairperson of the tribunal whether or not a report is given to the parties and the tribunal under subsection (3).’.	19 20 21 22 23
Clause 63	Amendment of s 485 (Registrar to fix hearing date and issue attendance notices)	24 25
	Section 485(3), after ‘respondent’—	26
	<i>insert—</i>	27
	‘personally’.	28

Clause 64	Amendment of s 496 (Grounds for starting disciplinary proceedings)	1 2
	Section 496(1)(e), after ‘a licence’—	3
	<i>insert—</i>	4
	‘or registration certificate’.	5
Clause 65	Amendment of sch 2 (Dictionary)	6
	(1) Schedule 2, definition <i>approved financial institution—</i>	7
	<i>omit.</i>	8
	(2) Schedule 2—	9
	<i>insert—</i>	10
	‘ <i>approved financial institution</i> means a financial institution that has entered into an agreement with the chief executive under section 410.	11 12 13
	<i>criminal history costs requirement</i> see—	14
	(a) generally for an applicant or licensee—section 32A(2); or	15 16
	(b) for an applicant for, or for the renewal or restoration of, registration—section 87A(2).’.	17 18
	(3) Schedule 2, definition <i>former licensee</i> , paragraph (b), ‘part 3,’—	19 20
	<i>omit.</i>	21
Part 9	Residential Services (Accreditation) Act 2002	22 23
Clause 66	Act amended in pt 9 and schedule	24
	This part and the schedule amend the <i>Residential Services (Accreditation) Act 2002</i> .	25 26

[s 67]

Clause 67	Amendment of s 10 (Application for registration)	1
	(1) Section 10(2)(e)—	2
	<i>omit, insert—</i>	3
	‘(e) be accompanied by—	4
	(i) the application fee prescribed under a regulation;	5
	and	6
	(ii) if, before or when the application is made, the chief	7
	executive requires the payment of costs under	8
	section 24A(1)—the amount of the costs required	9
	to be paid.’.	10
	(2) Section 10—	11
	<i>insert—</i>	12
	‘(6) A requirement mentioned in subsection (2)(e)(ii) is	13
	sufficiently made of the applicant if it is made generally of	14
	applicants in the approved form or notified on the	15
	department’s web site.’.	16
Clause 68	Amendment of s 15 (Cancellation of registration by chief executive)	17
	Before section 15(1)(a)—	18
	<i>insert—</i>	19
	‘(aa) the registration of the residential service, or the	20
	registration under section 61 of a person as a service	21
	provider for the registered service, was obtained because	22
	of materially incorrect or misleading information; or’.	23
		24
Clause 69	Amendment of s 24 (Obtaining criminal history report)	25
	(1) Section 24(2), from ‘criminal’ to ‘person’—	26
	<i>omit, insert—</i>	27
	‘report about the criminal history of the person’.	28

-
- (2) Section 24— 1
insert— 2
- ‘(4) If the criminal history of the person includes a conviction recorded against the person, the report must be written.’. 3
4

Clause 70 Insertion of new s 24A 5
After section 24— 6
insert— 7

‘24A Costs of criminal history report 8

- ‘(1) The chief executive may require a service provider or an applicant to pay the reasonable, but no more than actual, costs of obtaining a report under section 24 about— 9
10
11
- (a) the service provider or the applicant; or 12
- (b) a person the chief executive reasonably considers is an associate of the service provider or the applicant. 13
14
- ‘(2) The chief executive must refund to an applicant an amount paid under the requirement if— 15
16
- (a) the chief executive refuses the application without asking for the report; or 17
18
- (b) the applicant withdraws the application before the chief executive asks for the report. 19
20
- ‘(3) In this section— 21
applicant includes proposed applicant.’. 22

Clause 71 Amendment of s 27 (Destruction of criminal history report) 23
24

- (1) Section 27, heading, before ‘criminal’— 25
insert— 26
‘written’. 27

[s 72]

- (2) Section 27(1), before ‘criminal’— 1
insert— 2
‘written’. 3

Clause 72 Amendment of s 61 (Becoming a service provider) 4

- (1) Section 61(2)(f)— 5
omit, insert— 6
‘(f) be accompanied by— 7
 (i) the application fee prescribed under a regulation; 8
 and 9
 (ii) if, before or when the application is made, the chief 10
 executive requires the payment of costs under 11
 section 24A(1)—the amount of the costs required 12
 to be paid.’. 13
- (2) Section 61— 14
insert— 15
- ‘(8) A requirement mentioned in subsection (2)(f)(ii) is 16
sufficiently made of the applicant if it is made generally of 17
applicants in the approved form or notified on the 18
department’s web site.’. 19

Part 10 Amendment of Retirement Villages Act 1999 20
21

Clause 73 Act amended in pt 10 and schedule 22

This part and the schedule amend the *Retirement Villages Act* 23
1999. 24

Clause 74	Amendment of s 27 (Application for registration of a retirement village scheme)	1 2
	(1) Section 27(2)(c)—	3
	<i>omit, insert—</i>	4
	‘(c) the application fee prescribed under a regulation; and	5
	(d) if, before or when the application is made, the chief executive requires the payment of costs under section 88AA(1)—the amount of the costs required to be paid.’.	6 7 8
	(2) Section 27—	9
	<i>insert—</i>	10
	‘(3) A requirement mentioned in subsection (2)(d) is sufficiently made of the applicant if it is made generally of applicants in the approved form or notified on the department’s web site.’.	11 12 13
Clause 75	Amendment of s 88A (Investigations about scheme operators etc.)	14 15
	(1) Section 88A(1), ‘written’—	16
	<i>omit.</i>	17
	(2) Section 88A—	18
	<i>insert—</i>	19
	‘(4) If the criminal history of the person includes a conviction recorded against the person, the commissioner’s report must be written.’.	20 21 22
Clause 76	Insertion of new s 88AA	23
	After section 88A—	24
	<i>insert—</i>	25
	‘88AA Costs of criminal history report	26
	‘(1) The chief executive may require an applicant for the registration of a retirement village scheme to pay the	27 28

[s 77]

reasonable, but no more than actual, costs of obtaining a report under section 88A about the applicant. 1
2

‘(2) The chief executive must refund to the applicant an amount paid under the requirement if— 3
4

(a) the chief executive refuses the application without asking for the report; or 5
6

(b) the applicant withdraws the application before the chief executive asks for the report. 7
8

‘(3) In this section— 9

applicant includes proposed applicant.’. 10

Clause 77 Amendment of s 88B (Criminal history is confidential document) 11
12

(1) Section 88B, heading— 13

omit, insert— 14

‘88B Confidentiality of criminal history’. 15

(2) Section 88B(3), ‘the report’— 16

omit, insert— 17

‘a written report about a person’s criminal history’. 18

Clause 78 Amendment of s 90C (Responsibility of former resident for capital improvement) 19
20

Section 90C, ‘stops being responsible, under section 104(3)’— 21
22

omit, insert— 23

‘ceases to be liable, under section 104(2)(b)’. 24

Part 11	Amendment of Second-hand Dealers and Pawnbrokers Act 2003	1
		2
		3
Clause 79	Act amended in pt 11	4
	This part amends the <i>Second-hand Dealers and Pawnbrokers Act 2003</i> .	5
		6
Clause 80	Amendment of s 8 (Investigations about suitability of applicants and licensees)	7
		8
	(1) Section 8(2), ‘written’—	9
	<i>omit.</i>	10
	(2) Section 8—	11
	<i>insert—</i>	12
	‘(5) If the criminal history of the person includes a conviction recorded against the person, the commissioner’s report must be written.’.	13
		14
		15
Clause 81	Insertion of new s 8A	16
	After section 8—	17
	<i>insert—</i>	18
‘8A	Costs of criminal history report	19
	‘(1) The chief executive may require an applicant or licensee to pay the reasonable, but no more than actual, costs of obtaining a report under section 8 about—	20
		21
		22
	(a) the applicant or licensee; or	23
	(b) an associate of the applicant or licensee.	24
	‘(2) The chief executive must refund to an applicant an amount paid under the requirement if—	25
		26
	(a) the chief executive refuses the application without asking for the report; or	27
		28

[s 82]

(b) the applicant withdraws the application before the chief executive asks for the report. 1
2

‘(3) In this section— 3
applicant includes proposed applicant.’. 4

Clause 82 Amendment of s 9 (Criminal history is a confidential document) 5
6

(1) Section 9, heading— 7
omit, insert— 8

‘9 Confidentiality of criminal history’. 9

(2) Section 9(3), ‘the report’— 10
omit, insert— 11
‘a written report about a person’s criminal history’. 12

Clause 83 Amendment of s 10 (Application for licence) 13

(1) Section 10(2)(c)— 14
omit, insert— 15

‘(c) be accompanied by— 16

(i) the application fee prescribed under a regulation; 17
and 18

(ii) if, before or when the application is made, the chief executive requires the payment of costs under section 8A(1)—the amount of the costs required to be paid.’. 19
20
21
22

(2) Section 10— 23
insert— 24

‘(3) A requirement mentioned in subsection (2)(c)(ii) is sufficiently made of the applicant if it is made generally of applicants in the approved form or notified on the department’s web site.’. 25
26
27
28

Clause 84	Amendment of s 13 (Renewal of licence)	1
(1)	Section 13(2)(d)—	2
	<i>omit, insert—</i>	3
	‘(d) be accompanied by—	4
	(i) the application fee prescribed under a regulation;	5
	and	6
	(ii) if, before or when the application is made, the chief	7
	executive requires the payment of costs under	8
	section 8A(1)—the amount of the costs required to	9
	be paid.’.	10
(2)	Section 13—	11
	<i>insert—</i>	12
‘(3)	A requirement mentioned in subsection (2)(d)(ii) is	13
	sufficiently made of the applicant if it is made generally of	14
	applicants in the approved form or notified on the	15
	department’s web site.’.	16
Clause 85	Amendment of s 14 (Restoration of licence)	17
(1)	Section 14(2)(d)—	18
	<i>omit, insert—</i>	19
	‘(d) be accompanied by—	20
	(i) the application fee prescribed under a regulation;	21
	and	22
	(ii) if, before or when the application is made, the chief	23
	executive requires the payment of costs under	24
	section 8A(1)—the amount of the costs required to	25
	be paid.’.	26
(2)	Section 14—	27
	<i>insert—</i>	28
‘(3)	A requirement mentioned in subsection (2)(d)(ii) is	29
	sufficiently made of the applicant if it is made generally of	30

[s 86]

applicants in the approved form or notified on the
department's web site.' 1
2

**Clause 86 Amendment of s 19 (Grounds for suspending, cancelling,
refusing to renew or restore, or imposing conditions on a
licence) 3
4
5**

Section 19(1)(a), from 'licence' to 'incorrect'— 6

omit, insert— 7

'licence, or a renewal or restoration of the licence, was
obtained because of materially incorrect'. 8
9

**Part 12 Amendment of Security
Providers Act 1993 10
11**

Clause 87 Act amended in pt 12 12

This part amends the *Security Providers Act 1993*. 13

Clause 88 Amendment of s 10 (Application) 14

(1) Section 10— 15

insert— 16

'(2A) If, before or when the application is made, the chief executive
requires the payment of costs under section 12AA(1), the
application must also be accompanied by the amount of the
costs required to be paid. 17
18
19
20

'(7) A requirement mentioned in subsection (2A) is sufficiently
made of the applicant if it is made generally of applicants in
the approved form or notified on the department's web site.'. 21
22
23

Clause 89 Amendment of s 11 (Entitlement to licences—individuals) 24

(1) Section 11(5), from 'convicted of'— 25

omit, insert— 1

‘a disqualifying offence.’. 2

- (2) Section 11(6), definition *relevant offence*, from ‘offence,’ to
‘Queensland,’— 3
4

omit, insert— 5

‘offence’. 6

- (3) Section 11(6), definitions *relevant offence* and *unrecorded
finding of guilt—* 7
8

relocate to schedule 2. 9

Clause 90 Insertion of new s 12AA 10

After section 12— 11

insert— 12

‘12AA Costs of criminal history report 13

- ‘(1) The chief executive may require an applicant or licensee to
pay the reasonable, but no more than actual, costs of obtaining
a report under section 12 about— 14
15
16

(a) the applicant or licensee; or 17

(b) if the applicant or licensee is a corporation—an officer
of the corporation; or 18
19

(c) if the applicant or licensee is a partnership—a partner in
the partnership. 20
21

- ‘(2) The chief executive must refund to an applicant an amount
paid under the requirement if— 22
23

(a) the chief executive refuses the application without
asking for the report; or 24
25

(b) the applicant withdraws the application before the chief
executive asks for the report. 26
27

- ‘(3) In this section— 28

applicant includes proposed applicant.’. 29

[s 91]

Clause 91	Amendment of s 20 (Renewal of licence)	1
	(1) After section 20(1)—	2
	<i>insert—</i>	3
	‘(1A) If, before or when the application is made, the chief executive requires the payment of costs under section 12AA(1), the application must be accompanied by the amount of the costs required to be paid.’.	4 5 6 7
	(2) Section 20—	8
	<i>insert—</i>	9
	‘(6) A requirement mentioned in subsection (1A) is sufficiently made of the applicant if it is made generally of applicants in the approved form or notified on the department’s web site.’.	10 11 12
Clause 92	Amendment of s 21 (Grounds for suspension, cancellation or refusal to renew)	13 14
	Section 21(1)(a), from ‘licence’ to ‘incorrect’—	15
	<i>omit, insert—</i>	16
	‘licence, or a renewal of the licence, was obtained because of materially incorrect’.	17 18
Clause 93	Insertion of new pt 6	19
	After part 5—	20
	<i>insert—</i>	21
	‘Part 6 Declaratory provision	22
	‘64 Declaratory provision for s 29	23
	‘(1) To remove any doubt, it is declared that the amending provision had effect, on the commencement, to omit section 29 as in force immediately before the commencement and to insert section 29 as set out in the amending provision.	24 25 26 27

-
- ‘(2) In this section— 1
amending provision means the *Security Providers* 2
Amendment Act 2007, section 27. 3
commencement means the commencement of the amending 4
provision.’. 5

Clause 94 Amendment of sch 1, pt 1 (Existing provisions) 6

- (1) Schedule 1, part 1— 7
insert— 8
‘9A Chapter 33A (Unlawful stalking)’ 9
- (2) Schedule 1, part 1, item 5, ‘Suicide—Concealment’— 10
omit, insert— 11
‘suicide—concealment’. 12
- (3) Schedule 1, part 1, item 12, ‘Extortion’— 13
omit, insert— 14
‘extortion’. 15
- (4) Schedule 1, part 1, item 15, after ‘Receiving’— 16
insert— 17
‘property’. 18

Clause 95 Amendment of sch 2 (Dictionary) 19

- Schedule 2, definition *disqualifying offence*— 20
omit, insert— 21
‘disqualifying offence’— 22
- (a) means an offence— 23
- (i) under the *Weapons Act 1990* that is punishable by 24
imprisonment for 1 year or more, even if a fine 25
may be imposed in addition or as an alternative; or 26

[s 96]

- | | | |
|-------|--|------------------|
| (ii) | under the <i>Drugs Misuse Act 1986</i> that is punishable by imprisonment for 1 year or more, even if a fine may be imposed in addition or as an alternative; or | 1
2
3
4 |
| (iii) | against a provision of the Criminal Code mentioned in schedule 1; or | 5
6 |
| (iv) | against the <i>Police Service Administration Act 1990</i> , section 10.19(b), (c), (d), (e) or (f); and | 7
8 |
| (b) | includes an act or omission committed outside Queensland that would be a disqualifying offence if committed in Queensland.’. | 9
10
11 |

Part 13	Amendment of Tourism Services Act 2003	12 13
----------------	---	----------

Clause 96	Act amended in pt 13	14
	This part amends the <i>Tourism Services Act 2003</i> .	15

Clause 97	Omission of s 11 (Notes in text)	16
	Section 11—	17
	<i>omit.</i>	18

Clause 98	Amendment of s 15 (Inquiries about applicant’s suitability to hold registration)	19 20
	(1) Section 15(2), ‘written’—	21
	<i>omit.</i>	22
	(2) Section 15(4) and (5)—	23
	<i>renumber</i> as section 15(5) and (6).	24

-
- (3) Section 15— 1
insert— 2
- ‘(4) If the criminal history of the applicant or the named associated 3
person includes a conviction recorded against the applicant or 4
the named associated person, the commissioner’s report must 5
be written.’. 6

Clause 99 Insertion of new s 15A 7

Part 3, division 2— 8

insert— 9

‘15A Costs of criminal history report 10

- ‘(1) The chief executive may require an applicant to pay the 11
reasonable, but no more than actual, costs of obtaining a 12
report under section 15 about the applicant or an associated 13
person of the applicant. 14
- ‘(2) The chief executive must refund to the applicant an amount 15
paid under the requirement if— 16
- (a) the chief executive refuses the application without 17
asking for the report; or 18
- (b) the applicant withdraws the application before the chief 19
executive asks for the report. 20
- ‘(3) In this section— 21
applicant includes proposed applicant.’. 22

Clause 100 Amendment of s 20 (Application for registration) 23

- (1) Section 20(2)(c)— 24
omit, insert— 25
- ‘(c) be accompanied by— 26
- (i) the application fee prescribed under a regulation; 27
and 28

[s 101]

	(ii) the registration issue fee prescribed under a regulation; and	1 2
	(iii) if, before or when the application is made, the chief executive requires the payment of costs under section 15A(1)—the amount of the costs required to be paid.’.	3 4 5 6
(2)	Section 20— <i>insert—</i>	7 8
‘(7)	A requirement mentioned in subsection (2)(c)(iii) is sufficiently made of the applicant if it is made generally of applicants in the approved form or notified on the department’s web site.’.	9 10 11 12
Clause 101	Amendment of s 22 (Application for renewal of registration)	13 14
(1)	Section 22(2)(c)— <i>omit, insert—</i>	15 16
	‘(c) be accompanied by—	17
	(i) the registration renewal fee prescribed under a regulation; and	18 19
	(ii) if, before or when the application is made, the chief executive requires the payment of costs under section 15A(1)—the amount of the costs required to be paid.’.	20 21 22 23
(2)	Section 22— <i>insert—</i>	24 25
‘(7)	A requirement mentioned in subsection (2)(c)(ii) is sufficiently made of the applicant if it is made generally of applicants in the approved form or notified on the department’s web site.’.	26 27 28 29

Clause 102	Amendment of s 82 (Grounds for starting disciplinary proceedings)	1 2
	Section 82(1)(b), after ‘registration’—	3
	<i>insert—</i>	4
	‘, or a renewal of registration.’	5
Part 14	Amendment of Travel Agents Act 1988	6 7
Clause 103	Act amended in pt 14 and schedule	8
	This part and the schedule amend the <i>Travel Agents Act 1988</i> .	9
Clause 104	Amendment of s 6 (Definitions)	10
	Section 6—	11
	<i>insert—</i>	12
	‘ <i>criminal history</i> , of a person, means a person’s criminal history as defined under the <i>Criminal Law (Rehabilitation of Offenders) Act 1986</i> , other than spent convictions.	13 14 15
	<i>spent conviction</i> means a conviction—	16
	(a) for which the rehabilitation period under the <i>Criminal Law (Rehabilitation of Offenders) Act 1986</i> has expired under that Act; and	17 18 19
	(b) that is not revived as prescribed by section 11 of that Act.’	20 21
Clause 105	Amendment of s 14 (Application for a licence)	22
	(1) Section 14(1)(c)—	23
	<i>omit, insert—</i>	24
	‘(c) be accompanied by—	25

[s 106]

	(i) the application fee prescribed under a regulation; and	1 2
	(ii) if, before or when the application is made, the chief executive requires the payment of costs under section 15B(1)—the amount of the costs required to be paid.’.	3 4 5 6
(2)	Section 14— <i>insert—</i>	7 8
‘(6)	A requirement mentioned in subsection (1)(c)(ii) is sufficiently made of the applicant if it is made generally of applicants in the approved form or notified on the department’s web site.’.	9 10 11 12
Clause 106	Insertion of new ss 15A–15C	13
	After section 15— <i>insert—</i>	14 15
‘15A	Investigation of applicants	16
‘(1)	The commissioner may make investigations about a person to help the commissioner decide whether the person—	17 18
	(a) is a fit and proper person for the grant of an application for registration, or renewal of registration; or	19 20
	(b) continues to be a fit and proper person.	21
‘(2)	Without limiting subsection (1) or section 15, the commissioner may ask the commissioner of the police service for a report about the criminal history of the person.	22 23 24
‘(3)	If the criminal history of the person includes a conviction recorded against the person, the commissioner’s report must be written.	25 26 27

-
- ‘15B Costs of criminal history report** 1
- ‘(1) The commissioner may require a person mentioned in section 2
15A(1) to pay the reasonable, but no more than actual, costs 3
of obtaining a report under section 15A about the person. 4
- ‘(2) The commissioner must refund to a person who is an 5
applicant an amount paid under the requirement if— 6
- (a) the commissioner refuses the application without asking 7
for the report; or 8
- (b) the person withdraws the application before the 9
commissioner asks for the report. 10
- ‘15C Confidentiality of criminal history** 11
- ‘(1) A public service employee performing functions under this 12
Act must not, directly or indirectly, disclose to anyone else a 13
report about a person’s criminal history, or information 14
contained in the report, given under section 15A. 15
Maximum penalty—100 penalty units. 16
- ‘(2) However, the person does not contravene subsection (1) if— 17
- (a) disclosure of the report or information to someone else 18
is authorised by the commissioner to the extent 19
necessary to perform a function under or in relation to 20
this Act; or 21
- (b) the disclosure is otherwise required or permitted by law. 22
- ‘(3) The commissioner must destroy a written report about a 23
person’s criminal history as soon as practicable after it is no 24
longer needed for the purpose for which it was requested.’. 25

[s 107]

Part 15 **Other minor amendments** 1

Clause 107	Acts amended in schedule	2
	(1) The schedule amends the Acts it mentions.	3
	(2) However, subsection (1) does not apply in relation to a particular Act if another provision of this Act states that the schedule amends the particular Act.	4 5 6

Schedule	Minor amendments	1
	sections 3, 11, 66, 73, 103 and 107(1)	2
Body Corporate and Community Management Act 1997		3 4
1 Chapter 3, part 2, division 6, heading—		5
<i>omit.</i>		6
2 Section 293, before ‘the <i>Uniform Civil Procedure Rules 1999</i>’—		7 8
<i>insert—</i>		9
‘(a)’.		10
3 Section 294(1)(c), ‘direction’—		11
<i>omit, insert—</i>		12
‘directions’.		13
4 Schedule 1A, heading, after ‘section 101B and’—		14
<i>insert—</i>		15
‘schedule 6.’		16
Building Units and Group Titles Act 1980		17
1 Part 7, heading, ‘provisions’—		18
<i>omit, insert—</i>		19
‘provision’.		20

	Commercial and Consumer Tribunal Act 2003	1
1	Section 156, heading, ‘pt 9’—	2
	<i>omit, insert—</i>	3
	‘div 1’.	4
2	Section 156, ‘In this part’—	5
	<i>omit, insert—</i>	6
	‘In this division’.	7
3	Schedule 2, definition <i>public examination</i>, ‘division 4’—	8
	<i>omit, insert—</i>	9
	‘division 3’.	10
	 Liens on Crops of Sugar Cane Act 1931	 11
1	Section 25, heading, ‘Regulations’—	12
	<i>omit, insert—</i>	13
	‘Regulation-making power’.	14
	 Residential Services (Accreditation) Act 2002	 15
1	Section 4(5)(i), ‘; or’—	16
	<i>omit, insert—</i>	17
	‘;’.	18

Retail Shop Leases Act 1994		1
1	Section 116(4), after ‘reasonable’, first mention—	2
	<i>insert—</i>	3
	‘and’.	4
Retirement Villages Act 1999		5
1	Section 53(3), ‘terminated on the’—	6
	<i>omit, insert—</i>	7
	‘terminated’.	8
2	Section 194(2)(a), ‘; or’—	9
	<i>omit, insert—</i>	10
	‘;’.	11
3	Section 210(1)(b), ‘District Court Act 1967’—	12
	<i>omit, insert—</i>	13
	‘District Court of Queensland Act 1967’.	14
4	Schedule, definitions <i>conviction</i> and <i>relevant conviction</i>, after ‘<i>conviction</i>’—	15
	<i>insert—</i>	16
	‘;’.	17
		18

Schedule

5	Schedule, definition <i>insolvent under administration</i>, ‘for part 5, division 1’—	1
	<i>omit, insert—</i>	2
	‘, for part 5, division 1.’.	3
		4
	 Travel Agents Act 1988	 5
1	Sections 9(2)(a) and (b), 26(3)(a) and 36(1)(a), after ‘;’—	6
	<i>insert—</i>	7
	‘or’.	8
2	Section 56, ‘In’—	9
	<i>omit, insert—</i>	10
	‘Each of the following applies in’.	11