



Queensland

Family Responsibilities Commission Amendment Bill 2014



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2014

A Bill

for

An Act to amend the *Family Responsibilities Commission Act 2008* for particular purposes

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Family Responsibilities Commission Amendment Act 2014</i> .	3 4
Clause 2	Commencement	5
	This Act commences on a day to be fixed by proclamation.	6
Clause 3	Act amended	7
	This Act amends the <i>Family Responsibilities Commission Act 2008</i> .	8 9
Clause 4	Insertion of new s 8A (Meaning of <i>welfare reform community area</i>)	10 11
	Part 1—	12
	<i>insert—</i>	13
	8A Meaning of <i>welfare reform community area</i>	14
	(1) A <i>welfare reform community area</i> is an area prescribed by regulation as a welfare reform community area.	15 16 17
	(2) Before recommending to the Governor in Council that an area be prescribed as a welfare reform community area the Minister must have regard to the main objects of this Act.	18 19 20 21
Clause 5	Amendment of s 20 (Disqualification from being local commissioner)	22 23
	Section 20(1)(b)—	24
	<i>omit, insert—</i>	25

	(b) a protection order has been made against the person at any time during—	1 2
	(i) 5 years before the person is proposed to be appointed under section 12(2); or	3 4
	(ii) the person's term of appointment; or	5
Clause 6	Replacement of 43 (Notice about offences)	6
	Section 43—	7
	<i>omit, insert—</i>	8
	43 Notice about offences	9
	(1) Subsection (2) applies if—	10
	(a) for a person who is an adult—	11
	(i) in a proceeding before a court sitting in a welfare reform community area, Cooktown or Mossman, the person is convicted of an offence; or	12 13 14 15
	(ii) in a proceeding before another court, the person is convicted of an offence and the court officer has been advised that the person lives, or at any time after the commencement of this section has lived, in a welfare reform community area; or	16 17 18 19 20 21 22
	(b) for a person who is a child—	23
	(i) in a proceeding before a court, the child is convicted of an offence; and	24 25
	(ii) publication of identifying information about the child is not prohibited under the <i>Youth Justice Act 1992</i> , section 299A or 301; and	26 27 28 29
	(iii) the court officer has been advised that any parent of the child lives, or at any time after the commencement of this	30 31 32

[s 6]

- paragraph has lived, in a welfare reform community area. 1
2
- (2) The court officer of the court in which the proceeding was heard must give the commission notice of the conviction— 3
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- (a) if subsection (1)(a)(i) applies—as soon as practicable but not more than 10 business days after the person is convicted; or 6
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8
- (b) if subsection (1)(a)(ii) applies—as soon as practicable but not more than 10 business days after the court officer has been advised about a matter mentioned in subsection (1)(a)(ii); or 9
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13
- (c) if subsection (1)(b) applies—as soon as practicable but not more than 10 business days after the court officer has been advised about a matter mentioned in subsection (1)(b)(iii). 14
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- (3) Also, notice given under subsection (2) must include, if known, the following— 19
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- (a) the day of the conviction; 21
- (b) the name and address of the person convicted; 22
23
- (c) information to identify the offence of which the person was convicted and the court for the proceeding; 24
25
26
- (d) information to identify the welfare reform community area where— 27
28
- (i) the conduct the subject of the conviction happened; or 29
30
- (ii) for a person who is an adult—the person convicted lives or lived; 31
32
- (e) for a person who is a child and whose parent lives or lived in a welfare reform community area—information to identify the welfare 33
34
35

	reform community area where any parent of the child lives or lived.	1 2
(4)	In this section—	3
	<i>conviction</i> includes a finding of guilt made against a child.	4 5
	<i>court</i> means the following—	6
	(a) the Childrens Court;	7
	(b) the District Court;	8
	(c) a Magistrates Court;	9
	(d) the Supreme Court.	10
	<i>court officer</i> , of a court in which a proceeding is heard, means the following—	11 12
	(a) for the Childrens Court—the registrar or the clerk of the court;	13 14
	(b) for the District Court—the registrar of the court;	15 16
	(c) for a Magistrates Court—the clerk of the court;	17 18
	(d) for the Supreme Court—the registrar of the court.	19 20
	<i>finding of guilt</i> see the <i>Youth Justice Act 1992</i> , schedule 4.	21 22
	<i>identifying information</i> , about a child, see the <i>Youth Justice Act 1992</i> , schedule 4.	23 24
Clause 7	Amendment of s 94 (Education chief executive may give particular information)	25 26
	Section 94(3), definition <i>welfare reform community area</i> — <i>omit</i> .	27 28
Clause 8	Amendment of s 123 (Board meetings)	29
	Section 123(2), ‘3’—	30

[s 9]

omit, insert— 1

6 2

Clause 9 Amendment of s 151 (Regulation-making power) 3

Section 151(2)— 4

omit. 5

Clause 10 Omission of s 152 (Expiry of Act) 6

Section 152— 7

omit. 8

Clause 11 Omission of ss 155 and 156 9

Sections 155 and 156— 10

omit. 11

Clause 12 Amendment of schedule (Dictionary) 12

(1) Schedule, definitions *Aurukun area, Coen area, Hope Vale area, Mossman Gorge area* and *welfare reform community area—* 13
14
15

omit. 16

(2) Schedule— 17

insert— 18

welfare reform community area see section 19
8A(1). 20

(3) Schedule, definition *conviction notice*, ‘a’— 21

omit. 22

(4) Schedule, definition *relevant person*, paragraph (d)— 23

omit, insert— 24

(d) for each conviction notice— 25

- (i) if the person the subject of the notice is a child—a parent of the child; or 1
2
- (ii) otherwise—the person the subject of the notice; or 3
4

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