

Commission for Children and Young People and Child Guardian and Another Act Amendment Bill 2008

Amendments agreed to during Consideration

1 Clause 4 (Amendment of s 99C (What is a *serious offence*))

At page 7, line 3, ‘a foreign’—
omit, insert—
‘another’.

2 Clause 29 (Insertion of new pt 6, div 4A)

At page 23, line 16, ‘a foreign’—
omit, insert—
‘another’.

3 Clause 29 (Insertion of new pt 6, div 4A)

At page 26, line 19, ‘to is’—
omit, insert—
‘is to’.

4 Clause 34 (Amendment of s 122 (Commissioner may obtain information from police commissioner))

At page 34, line 24 ‘made.’.—
omit, insert—
‘made;

- (d) if the application was for an offender prohibition order and the magistrate or court hearing the application decided not to make a CPOPOA disqualification order

for the person—the reasons why the CPOPOA
disqualification order was not made.’.’.

5 Clause 45 (Insertion of new pt 9, div 11)

At page 44, lines 15 to 21—

omit, insert—

“(4) If, before the commencement—

(a) the person made an application for cancellation of a
negative notice; and

(b) the application had not been decided;

the application is taken to have been refused.

‘(5) If, before the commencement—

(a) the person made an application for cancellation of a
suspension of a positive notice; and

(b) the application had not been decided;

the application is taken to have been withdrawn and the
positive notice is taken to have been cancelled.’.

6 Clause 45 (Insertion of new pt 9, div 11)

At page 47, line 29, ‘, 120D and 126C’—

omit, insert—

‘and 120D’.

7 Clause 45 (Insertion of new pt 9, div 11)

At page 47, line 30, ‘, 120D and 126C’—

omit, insert—

‘and 120D’.

8 Clause 45 (Insertion of new pt 9, div 11)

At page 48, line 11, ‘or 219’—

omit, insert—
, 219 or 222’.

9 Clause 46 (Amendment of sch 2 (Current serious offences))

At page 49, line 12, ‘Schedule’—

omit, insert—

‘(1) Schedule’.

10 Clause 46 (Amendment of sch 2 (Current serious offences))

At page 49, after line 15—

insert—

‘(2) Schedule 2—

insert—

‘6 *Crimes Act 1914* (Cwlth)

Provision of Act	Relevant heading	Qualification relating to the provision of the Act
50BA	Sexual intercourse with child under 16	
50BB	Inducing child under 16 to engage in sexual intercourse	
50BC	Sexual conduct involving child under 16	
50BD	Inducing child under 16 to be involved in sexual conduct	

50DA Benefiting from
offence against this
Part

50DB Encouraging
offence against this
Part

7 Criminal Code (Cwlth)

Provision of Act	Relevant heading	Qualification relating to the provision of the Act
270.6	Sexual servitude offences	only if an offender was or could have been liable as mentioned in section 270.8
270.7	Deceptive recruiting for sexual services	only if an offender was or could have been liable as mentioned in section 270.8
474.19	Using a carriage service for child pornography material	
474.20	Possessing, controlling, producing, supplying or obtaining child pornography material for use through a carriage service	
474.22	Using a carriage service for child abuse material	

- 474.23 Possessing,
controlling,
producing,
supplying or
obtaining child
abuse material for
use through a
carriage service
- 474.26 Using a carriage
service to procure
persons under 16
years of age
- 474.27 Using a carriage
service to “groom”
persons under 16
years of age’.

11 Clause 47 (Replacement of schs 2B and 2C)

At page 54, entry for the Criminal Code, section 300, column 3, after ‘302’—

insert—

‘and was committed against a child’.

12 Clause 47 (Replacement of schs 2B and 2C)

At page 54, entry for the Criminal Code, section 351, column 2, ‘rate’—

omit, insert—

‘rape’.

13 Schedule (Consequential amendments of other Acts)

At page 63, after line 8—

insert—

‘1A Sections 141H(1)(c) and 141I(1)(c), ‘apply for a further prescribed notice’—

omit, insert—

‘notify the children’s commissioner of a change in police information within the meaning of that Act’.

14 Schedule (Consequential amendments of other Acts)

At page 63, after line 12—

insert—

‘Education (Queensland College of Teachers) Act 2005

‘1 Section 48, heading, ‘excluding’—

omit, insert—

‘disqualifying’.

‘2 Section 48(1), ‘an excluding’—

omit, insert—

‘a disqualifying’.

‘3 Section 56, heading, ‘excluding’—

omit, insert—

‘disqualifying’.

‘4 Section 56(1)(a), ‘an excluding’—

omit, insert—

‘a disqualifying’.

'5 Section 56(4)(c)(ii), 'the excluding'—

omit, insert—

'the disqualifying'.

'6 Sections 57(1)(b)(i), 58(1)(a) and 92(1)(a)(i), 'an excluding'—

omit, insert—

'a disqualifying'.

'7 Section 92(2)(a), 'the excluding'—

omit, insert—

'the disqualifying'.

'8 Section 92(5), definition *dealt with*, 'an excluding'—

omit, insert—

'a disqualifying'.

'9 Insertion of new ch 12, pt 9

After section 329—

insert—

**'Part 9 Transitional provisions for
Commission for Children and
Young People and Child
Guardian and Another Act
Amendment Act 2008**

'330 Existing section 48 suspensions

(1) On the commencement, an existing section 48 suspension—

(a) continues in force according to its terms; and

- (b) is taken to have been made in relation to a charge for a disqualifying offence.

‘(2) In this section—

commencement means the commencement of this section.

existing section 48 suspension means a suspension of a teacher’s registration or permission to teach—

- (a) made under section 48 as in force immediately before the commencement; and
- (b) for which the period of suspension had not ended before the commencement.

‘10 Schedule 3, definition *excluding offence*—

omit, insert—

‘disqualifying offence see the *Commission for Children and Young People and Child Guardian Act 2000*, section 120B.’.’.