

# Corrective Services and Other Legislation Amendment Bill 2008

## Amendments agreed to during Consideration

**1 Clause 4 (Insertion of new ch 6, pts 12A and 12B),  
proposed section 319J (Definitions)—**

At page 14, lines 27 to 31—

*omit.*

**2 Clause 4 (Insertion of new ch 6, pts 12A and 12B),  
proposed section 319P (Victim trust fund to be  
transferred to public trustee)—**

At page 18, line 26—

*omit, insert—*

‘within 1 month after the protected defendant—

- (a) knows the amount of the relevant money that is required by an Act of the State or the Commonwealth to be paid to someone else; or
- (b) is satisfied that none of the relevant money is required by an Act of the State or the Commonwealth to be paid to someone else.’

**3 Clause 4 (Insertion of new ch 6, pts 12A and 12B),  
proposed section 319Q (Discharge of protected  
defendant)—**

At page 19, line 17—

*omit, insert—*

‘section 319P within 14 days after the public trustee receives the fund.’

**4 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319Q (Discharge of protected defendant)—**

At page 19, lines 23 to 25—

*omit, insert—*

- ‘(3) The public trustee must give a copy of the receipt to the chief executive at the same time the public trustee gives the protected defendant the receipt.’

**5 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319T (Notice to potential claimants)—**

At page 20, lines 26 to 29 and page 21, line 1—

*omit, insert—*

- ‘(1) The chief executive must, within 1 month after receiving the copy of the receipt mentioned in section 319Q(3), give each potential claimant a written notice stating—
- (a) the name of the person in relation to whom relevant money has been awarded (the *relevant person*); and’.

**6 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319W (Starting of victim claims proceedings despite expiry of limitation period)—**

At page 23, lines 19 to 21—

*omit, insert—*

‘relevant person may be brought by a potential claimant—

- (a) by a proceeding started within 6 months after the chief executive gives the written notice as mentioned in section 319T(1); and’.

**7 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319X (Notifying victim claims)—**

At page 24, lines 12 to 16—

*omit, insert—*

‘relevant person within 6 months after the chief executive gives a written notice as mentioned in section 319T(1).

- ‘(2) The person may notify the public trustee of the victim claim by giving the public trustee—
- (a) written notice of the proceeding within 6 months after the chief executive gives a written notice as mentioned in section 319T(1); and’.

**8 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319X (Notifying victim claims)—**

At page 24, line 29, ‘7 days’—

*omit, insert—*

‘14 days’.

**9 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319ZD (Payment of eligible entity claims from victim trust fund)—**

At page 31, line 10, ‘2 months’—

*omit, insert—*

‘3 months’.

**10 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319ZH (Exception for legal costs)—**

At page 33, after line 33—

*insert—*

- ‘(6) In this section—

*legal costs* means amounts that a person has been or may be charged by, or is or may become liable to pay to, a law practice for the provision of legal services including interest on the amounts, and disbursements and interest on disbursements.’.

**11 Clause 4 (Insertion of new ch 6, pts 12A and 12B), proposed section 319ZL (Maximum legal costs of victim claims)—**

At page 35, after line 23—

*insert—*

*‘legal costs* means amounts that a person has been or may be charged by, or is or may become liable to pay to, a law practice for the provision of legal services including interest on the amounts, but not including disbursements or interest on disbursements.’.

**12 Clause 9 (Amendment of sch 4 (Dictionary))—**

At page 51, line 3—

*omit.*

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