

State Penalties Enforcement and Other Legislation Amendment Bill 2009

Amendments agreed to during Consideration

1 **Clause 2 (Commencement)**

Page 16, line 23, after ‘10,’—

insert—

‘10A.’.

2 **After clause 29**

Page 51, after line 14—

insert—

‘29A **Amendment of s 151 (Information from commissioner of police service)**

‘(1) Section 151(2), after ‘given’—

insert—

‘under subsection (1)’.

‘(2) Section 151(3) and (4)—

renumber as section 151(6) and (8).

‘(3) Section 151—

insert—

‘(3) Subsection (4) applies if the registrar advises the commissioner of the police service under section 151A about a particular immobilisation warrant.

‘(4) The commissioner of the police service may, on the registrar’s written request, give to the registrar information in the possession of the police service about any person known to the commissioner of police to reside at premises where the registrar proposes to have the warrant enforced.

- ‘(5) The information that may be given under subsection (4) is—
- (a) the person’s criminal history; and
 - (b) whether any warning, including, for example, a warning about the health or behaviour of the person is recorded in a document in the possession of the police service; and
 - (c) the details of any warning mentioned in paragraph (b).
- ‘(7) If information given to the registrar under subsection (4) is in writing, the registrar must destroy it as soon as practicable after the registrar is satisfied it is no longer needed for the purpose for which it was given.’.’

3 Clause 39 (Amendment of sch 2 (Dictionary))

Page 55, after line 21—

insert—

‘*good behaviour order* see section 118(3).’.

4 After clause 71

Page 76, after line 16—

insert—

‘71A Amendment of s 97 (Requiring witness to attend or produce document or thing)

- ‘(1) Section 97(3), from ‘attends’ to ‘notice given’—
- omit, insert—*
- ‘is given a notice’.
- ‘(2) Section 97—
- insert—*
- ‘(5) The fees and allowances must be paid at the time prescribed under a regulation.’.’

5 After clause 75

Page 78, after line 5—

insert—

‘75A Amendment of s 195 (Functions generally)

‘(1) Section 195(b)—

omit.

‘(2) Section 195(c), after ‘this Act,’—

insert—

‘the rules,’.

‘(3) Section 195(c) and (d)—

renumber as section 195(b) and (c).’.

6 After clause 100

Page 89, after line 12—

insert—

‘100A Insertion of new s 723A

‘After section 723—

insert—

‘723A Amendment of s 4 (Main purposes of Act and how they generally are achieved)

‘(1) Section 4(2)(f)—

omit.

‘(2) Section 4(2)(g) to (j)—

renumber as section 4(2)(f) to (i).

Editor’s note—

Legislation ultimately amended—

- *Racing Act 2002*’.

7 After clause 129

Page 109, after line 4—

insert—

‘129A Amendment of s 50 (Commission may prosecute official misconduct)

‘Section 50(4), definition *prescribed person*, ‘a charge is laid’—

omit, insert—

‘the start of a disciplinary proceeding for the official misconduct’.’.

8 After clause 149

Page 114, lines 15 to 26 and page 115, lines 1 to 15—

omit.

9 After clause 158

Page 117, after line 6—

insert—

‘Part 10A Amendment of Land Tax Act 1915

‘158A Act amended

‘This part amends the *Land Tax Act 1915*.

‘158B Amendment of pt 5 hdg (Grounds of objection or appeal)

‘Part 5, heading, ‘or appeal’—

omit, insert—

‘, appeal or review’.

‘158C Amendment of s 28 (Restriction on grounds of appeal)

‘(1) Section 28, heading, after ‘appeal’—

insert—

‘or review’.

‘(2) Section 28—

insert—

‘(2) Despite the Administration Act, section 71(2), an application for review of the commissioner’s decision on an objection to an assessment may not be made on the grounds mentioned in subsection (1).’.

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