

# Criminal Law (False Evidence Before Parliament) Amendment Bill 2012

## Amendments agreed to during Consideration

### 1 After clause 2

Page 4, after line 8—

*insert—*

### ‘2A Insertion of new s 53

‘Chapter 8, before section 54—

*insert—*

### ‘53 Evidence of proceedings in the Assembly allowed for prosecution

‘(1) Despite the *Parliament of Queensland Act 2001*, section 8, evidence of anything said or done during proceedings in the Assembly may be given in a proceeding against a person for an offence under this chapter to the extent necessary to prosecute the person for the offence.

‘(2) Subsection (1) does not limit the *Parliament of Queensland Act 2001*, section 36.

‘(3) In this section—

*proceedings in the Assembly* see the *Parliament of Queensland Act 2001*, section 9 and schedule.’.

### ‘2B Insertion of new s 56

‘After section 55—

*insert—*

### ‘56 Disturbing the Legislature

‘(1) A person who, while the Legislative Assembly is in session, intentionally—

(a) disturbs the Assembly; or

(b) commits any disorderly conduct in the immediate view and presence of the Assembly, tending to interrupt its proceedings or to impair the respect due to its authority; commits a misdemeanour.

Maximum penalty—3 years imprisonment.

‘(2) A person may be arrested without warrant.’.’.

**2 Clause 3 (Insertion of new s 57)**

Page 4, line 9, ‘s 57’—

*omit, insert—*

‘ss 57 and 58’.

**3 Clause 3 (Insertion of new s 57)**

Page 4, lines 19 to 23 and page 5, lines 1 and 2—

*omit, insert—*

‘(3) To remove any doubt, it is declared that a member of the Legislative Assembly does not give an answer during an examination before the Legislative Assembly only because the member answers a question during Question Time, a debate or the conduct of other daily business of the Legislative Assembly.’.

**4 Clause 3 (Insertion of new s 57)**

Page 5, line 3, ‘(5)’—

*omit, insert—*

‘(4)’.

**5 Clause 3 (Insertion of new s 57)**

Page 5, line 5, ‘(6)’—

*omit, insert—*

‘(5)’.

**6 Clause 3 (Insertion of new s 57)**

Page 5, line 10—

*omit, insert—*

*‘Queensland Act 2001, section 9 and schedule.*

**‘58 Witness refusing to attend, answer question or produce a thing before Legislative Assembly or authorised committee**

‘(1) A person who—

- (a) fails to attend before the Legislative Assembly as required under the *Parliament of Queensland Act 2001*, section 29; or
- (b) fails to attend before an authorised committee as required under the *Parliament of Queensland Act 2001*, section 30(4); or
- (c) fails to answer a question asked by the Assembly, or to produce a document or other thing to the Assembly, as required under the *Parliament of Queensland Act 2001*, section 32(6); or
- (d) fails to answer a question asked by an authorised committee, or to produce a document or other thing to an authorised committee, as required under the *Parliament of Queensland Act 2001*, section 33(8);

commits a misdemeanour.

Maximum penalty—2 years imprisonment.

‘(2) A person can not be convicted of an offence against subsection (1)(a) or (b) if the Assembly has excused the person for the failure mentioned in the subsection.

‘(3) In this section—

*authorised committee* see the *Parliament of Queensland Act 2001*, schedule.’.

**7 After clause 5**

Page 5, after line 25—

*insert—*

**‘Part 4 Amendment of Crime and Misconduct Act 2001**

**‘6 Act amended**

‘This part amends the *Crime and Misconduct Act 2001*.

**‘7 Amendment of s 49 (Reports about complaints dealt with by the commission)**

‘(1) Section 49—

*insert—*

‘(2A) If the commission decides that prosecution proceedings for an offence under the Criminal Code, section 57 should be considered, the commission must report on the investigation to the Attorney-General.’.

‘(2) Section 49(3), ‘subsection (2)’—

*omit, insert—*

‘subsection (2) or (3)’.

‘(3) Section 49(2A) to (4)—

*renumber* as section 49(3) to (5).’.

**8 Long title**

Long title, ‘and the *Parliament of Queensland Act 2001*’—

*omit, insert—*

‘, the *Parliament of Queensland Act 2001* and the *Crime and Misconduct Act 2001*’.