



Queensland

Family Responsibilities Commission Amendment Bill 2015

Includes amendments agreed during Consideration



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2015

A Bill

for

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

The Parliament of Queensland enacts—

1 Short title

This Act may be cited as the *Family Responsibilities Commission Amendment Act 2015*.

2 Act amended

This Act amends the *Family Responsibilities Commission Act 2008*.

3 Amendment of s 24 (Delegation by commissioner)

Section 24—

insert—

(2A) In addition, the commissioner may delegate the commissioner's functions for a conference to the chairperson of the commission for the conference if—

- (a) the commissioner makes a direction under section 50A(1) for the conference; and
- (b) the chairperson is appropriately qualified to perform the commissioner's functions for the conference.

(2B) For subsection (2A), the commissioner's functions are the commissioner's functions for endorsing a requirement for a person to be subject to income management.

4 Amendment of s 34 (Eligibility for appointment as registrar)

Section 34, from 'if the person is—'—

omit, insert—

if the person—

- (a) has an appropriate understanding of the history and culture of Aboriginal people and Torres Strait Islanders; and
- (b) is—
 - (i) a lawyer; or
 - (ii) otherwise—appropriately qualified to perform the functions of the registrar.

5 Amendment of s 37 (Delegation by registrar)

Section 37(2), definition *appropriately qualified*—
omit.

6 Replacement of s 43 (Notice about offences)

Section 43—
omit, insert—

43 Court advice notices

- (1) This section applies if—
 - (a) a court—
 - (i) convicts a person of an offence; or
 - (ii) makes a protection order against a person; and
 - (b) for a person convicted of the offence who is a child—publication of identifying information about the child is not prohibited under the *Youth Justice Act 1992*, section 299A or 301; and
 - (c) at least 1 of the following applies—
 - (i) the court was sitting in a welfare reform community area, Cooktown or Mossman;

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- (ii) the court officer learns that the person lives, or at any time after the start day has lived, in a welfare reform community area;
 - (iii) if the person is a child—the court officer learns that a parent of the child lives, or at any time after the start day has lived, in a welfare reform community area.
- (2) The court officer must give the commission a notice (a *court advice notice*) that states—
 - (a) if the court convicted the person of an offence—
 - (i) the offence that the person was convicted of; and
 - (ii) the day on which the court convicted the person; and
 - (b) if the court made a protection order against the person—
 - (i) the conditions (if any) of the protection order; and
 - (ii) the day on which the court made the protection order; and
 - (c) the person's name and address; and
 - (d) information that identifies the court—
 - (i) that convicted the person; or
 - (ii) made the protection order against the person; and
 - (e) information that identifies—
 - (i) the place where the conduct that is the subject of the conviction or protection order happened; or

- (ii) the welfare reform community area mentioned in subsection (1)(c)(ii) or (iii).
- (3) The court officer must give the notice as soon as practicable, but not more than 10 business days, after the later of the following—
 - (a) the court—
 - (i) convicts the person; or
 - (ii) makes the protection order against the person;
 - (b) the court officer learns that the person or, if the person is a child, a parent of the child lives, or at any time after the start day has lived, in a welfare reform community area.
- (4) In this section—

conviction, in relation to a child, means a finding of guilt within the meaning of the *Youth Justice Act 1992*.

court means—

- (a) the Childrens Court; or
- (b) the District Court; or
- (c) a Magistrates Court; or
- (d) the Supreme Court.

court officer means—

- (a) for a court that convicts a person—
 - (i) for the Childrens Court—the registrar or the clerk of the court; or
 - (ii) for the District Court—the registrar of the court; or
 - (iii) for a Magistrates Court—the clerk of the court; or

[s 7]

- (iv) for the Supreme Court—the registrar of the court; or
- (b) otherwise—a clerk as defined in the *Domestic and Family Violence Protection Act 2012*, schedule.

identifying information see the *Youth Justice Act 1992*, schedule 4.

protection order see the *Domestic and Family Violence Protection Act 2012*, schedule.

start day means—

- (a) for subsection (1)(c)(iii), in relation to a child convicted of an offence—28 November 2014; or
- (b) otherwise—the day on which this definition commences.

7 Amendment of schedule (Dictionary)

- (1) Schedule, definition *conviction notice*—
omit.

- (2) Schedule—
insert—

court advice notice see section 43.

- (3) Schedule, definition *agency notice*, paragraph (d)—
omit, insert—

- (d) court advice notice;

- (4) Schedule, definition *relevant person*, paragraph (d)—
omit, insert—

- (d) for a court advice notice—

- (i) if the person who is the subject of the notice is a child—any parent of the child, or the child; or

- (ii) otherwise—the person who is the subject of the notice; or

Schedule 1 CDEP Scheme participant amendments

section 2

- 1 Section 8(c)—**
omit.

- 2 Section 68(3)—**
omit.

- 3 Section 69(3)—**
omit.

- 4 Section 87(3)—**
omit.

- 5 Section 108(3)—**
omit.

- 6 Schedule, definition *CDEP Scheme participant*—**
omit.