

Queensland



Supreme Court of Queensland Act 1991

CRIMINAL PRACTICE RULES 1999

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Queensland



CRIMINAL PRACTICE RULES 1999

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CRIMINAL PRACTICE RULES 1999

[reprinted as in force on 1 July 1999]

CHAPTER 1—PRELIMINARY

Short title

1. These rules may be cited as the *Criminal Practice Rules 1999*.

Commencement

2. These rules commence on 1 July 1999.

Definitions

3. The dictionary in schedule 6 defines particular words used in these rules.

Application of rules generally

4.(1) These rules are for the criminal jurisdiction and, if stated in these rules, associated proceedings.

(2) If these rules do not make provision or sufficient provision for a matter, the court may give the directions or rulings about the matter as the court considers appropriate.

Application of rules to Magistrates Courts

5. The following provisions of these rules apply to a Magistrates Court—
 - chapters 1, 3, 11 and 12
 - chapter 8, rules 30 to 34.

Extending and shortening time

6.(1) The court may, at any time, extend a time set under these rules.

(2) If a time set under these rules, including a time for service, has not ended, the court may shorten the time.

Effect of non-compliance with rules

7.(1) Noncompliance with a rule does not invalidate a proceeding, unless the court directs otherwise.

(2) If a rule has not been complied with, the court may—

- (a) waive the noncompliance; or
- (b) set aside all or part of the proceeding; or
- (c) make another order it considers appropriate.

Example of order made under paragraph (c)—

An order enforcing the performance of a duty imposed on a person under these rules.

Court's power to make orders or give directions

8.(1) This rule applies to a court in making an order or giving a direction under these rules.

(2) Unless otherwise stated in these rules, the court may make the order or give the direction on the court's own initiative or on an application made to the court under these rules.

Court may impose appropriate conditions

9. If a court has power to make an order, give a direction or leave, or do another thing under these rules, the court may make the order, give the direction or leave, or do the other thing on the conditions the court considers appropriate.

Electronic transmission of documents

10. Unless otherwise stated in these rules, a document required to be filed or given under the Code or these rules may be filed or given electronically.

Fees

11. The fees payable under these rules are in schedule 1.

CHAPTER 2—FORMS FOR PROCEEDINGS**Title of proceeding**

12. A proceeding must be entitled—

- (a) for the Court of Appeal—‘In the Court of Appeal of Queensland’;
or
- (b) for the Supreme Court—‘In the Supreme Court of Queensland at [state the place]’; or
- (c) for the District Court—‘In the District Court at [state the place]’.

Forms generally

13.(1) The forms to be used under these rules are in schedules 2 to 5.¹

(2) A reference in a form in schedule 2, 3 or 5 to a section is, unless otherwise stated in the form, a reference to that section of the Code.

(3) A reference in a form in schedule 4 to a section is a reference to that section of the *Drugs Misuse Act 1986*.

¹ Schedules 2 (Forms for indictments and informations—formal parts), 3 (Forms for indictments, informations and complaints—statement of offences under the Code), 4 (Forms for indictments, informations and complaints—statement of offences under the *Drugs Misuse Act 1986*) and 5 (Forms for other proceedings).

Forms of indictment or information

14.(1) An indictment to be presented in the Supreme Court must be in the form of schedule 2, form 1.

(2) An indictment to be presented in the District Court must be in the form of schedule 2, form 2.

(3) An information to be presented in the Supreme Court must be in the form of schedule 2, form 3.

(4) The indictment or information must also contain a statement of the offence under rule 15.

Statement of offences

15. The statement of an offence in an indictment, complaint or other document may be in the words of—

- (a) the schedule form for the offence, with the changes necessary to make the words consistent with the particular circumstances of the alleged offence; or
- (b) if there is no schedule form for the offence, the Code or other Act creating the offence.

CHAPTER 3—APPLICATIONS

Applications generally

16.(1) An application to the court may be oral or written, unless otherwise stated in these rules.

(2) A written application must be filed in the registry.

Service of application

17.(1) An application required to be served on a person must be served on the person at least 2 clear days before the day on which the application is to be heard.

(2) An application required to be served on the director of public prosecutions or a lawyer (the “entity”) may be served by delivering it to, leaving it at, or sending it by facsimile transmission to, the entity’s office.

CHAPTER 4—PRACTITIONER’S AND COURT’S DUTIES

Lawyer acting for accused person

18.(1) A lawyer acting for an accused person in a proceeding must—

- (a) give written notice that the lawyer acts for the accused person to the proper officer of the court before which the accused person is to appear next; and
- (b) give a copy of the notice to the prosecutor.

(2) The notice must state the lawyer’s—

- (a) address for service; and
- (b) telephone and facsimile number; and
- (c) e-mail address, if any.

(3) The lawyer must comply with subrule (1) no later than 21 days before the accused person’s next appearance in the court.

(4) A lawyer acting for an accused person at the accused person’s committal is taken to continue acting for the accused person until the earliest of the following happens—

- (a) the lawyer gives a notice to the court’s proper officer under rule 19(1);
- (b) the lawyer is given the court’s leave to withdraw under rule 19(4);
- (c) another lawyer gives a notice to the court’s proper officer under subrule (1).

Lawyer withdrawing from acting for accused person

19.(1) A lawyer who is no longer instructed to act for an accused person in a proceeding may withdraw from acting for the accused person in the proceeding by—

- (a) giving the court's proper officer written notice that the lawyer no longer acts for the accused person; and
- (b) giving a copy of the notice to the prosecutor.

(2) The lawyer must give the notices mentioned in subrule (1) no later than 21 days before the accused person's next appearance in court in the proceeding.

(3) Subrule (4) applies if a lawyer wants to withdraw from acting for an accused person in a proceeding—

- (a) other than because the lawyer is no longer instructed to act for the accused person; or
- (b) within 21 days of the accused person's next appearance in court in the proceeding.

(4) The lawyer must, in the time set by a practice direction, withdraw by—

- (a) giving written notice to the court's proper officer that the lawyer intends seeking the court's leave to withdraw from acting for the accused person in the proceeding; and
- (b) giving a copy of the notice to the following—
 - (i) the prosecutor;
 - (ii) if the lawyer knows the accused person's current address, the accused person; and
- (c) obtaining the court's leave to withdraw from acting for the accused person in the proceeding.

(5) A lawyer may, during an accused person's trial, withdraw from acting for the accused person with the court's leave and without giving a notice mentioned in this rule.

Director of public prosecutions

20.(1) The director of public prosecutions must, before presenting an indictment or filing an application in the court, mark on it any applicable file number of the office of the director of public prosecutions.²

(2) If the indictment is an ex officio indictment, the director of public prosecutions must state the fact on the indictment.

(3) When presenting an indictment, the director of public prosecutions must give the proper officer of the court in which it is presented a written notice stating the Magistrates Court reference number, if any, for each charge in the indictment.

(4) If the director of public prosecutions presents an indictment against an accused person and the charges in the indictment differ from the committal charges, the director of public prosecutions must give written notice of the differences to the following—

- (a) the accused person or the accused person's lawyer;
- (b) if the accused person is in the custody of the chief executive (corrective services), the chief executive (corrective services);
- (c) the proper officer of the court in which the indictment is presented.

Examples of how charges in an indictment may differ from the committal charges—

- another charge may be added
- a committal charge may be omitted
- a circumstance of aggravation may be added to or omitted from a committal charge
- another charge may be substituted for a committal charge.

(5) The notice must state the committal charges and how the charges in the indictment differ from the committal charges.

(6) If the director of public prosecutions decides not to present an indictment against an accused person who has been committed for an offence, the director of public prosecutions must, as soon as possible after making the decision, give written notice of it to the following—

² Under the *Acts Interpretation Act 1954*, section 36, definition "number", a letter is a number.

- (a) the accused person or the accused person's lawyer;
- (b) if the accused person is in the custody of the chief executive (corrective services), the chief executive (corrective services);
- (c) the proper officer of the court that committed the accused person.

(7) In this rule—

“committal charge” means a charge for an offence for which the accused person was committed.

Court

21. The court's proper officer must mark the court's file number on an indictment presented, or application filed, in the court.

CHAPTER 5—INFORMATIONS BY PRIVATE PERSONS FOR INDICTABLE OFFENCES

Definitions for ch 5

22. In this chapter—

“accused person” means the person against whom an information is to be presented.

“application” means an application for leave to present an information against an accused person.

Service of application

23.(1) A person making an application to the Supreme Court must serve a copy of the filed application and any supporting documents (the **“copies”**) on the accused person.

(2) The copies must be served at least 2 clear days before the day on which the application is to be heard (the **“hearing day”**), unless—

- (a) the court makes an order under rule 6 extending or shortening the time; or
- (b) the accused person agrees in writing to attend on the hearing day despite receiving the copies less than 2 clear days before the hearing day.

Hearing of application

24. The court may decide an application whether or not the accused person appears at the hearing of the application.

CHAPTER 6—BAIL

Application for bail

25.(1) A person who applies to the court for bail or for a variation of bail for a proceeding must serve a copy of the filed application and supporting affidavits or other documents (the “**copies**”) on the prosecutor.

(2) The copies must be served at least 2 clear days before the day on which the application is to be heard (the “**hearing day**”), unless—

- (a) the court makes an order under rule 6 extending or shortening the time; or
- (b) the prosecutor agrees to receiving the copies less than 2 clear days before the hearing day.

(3) Subrule (1) does not apply if the application is made to the court before which the indictment was presented and the court makes an order, or the prosecutor agrees, that the person may make the application orally.

(4) If a person has applied unsuccessfully to a court for bail for a proceeding, the person must state in any further application for bail for the proceeding any change of circumstances relied on since the unsuccessful application.

(5) This rule does not apply to an application for bail made to the trial judge by a person during the person’s trial.

Application to revoke bail

26.(1) This rule applies subject to the *Bail Act 1980*, section 30.³

(2) A prosecutor who applies to the court for an order revoking or varying an accused person's bail must serve a copy of the filed application and any supporting affidavits or other documents (the "**copies**") on the accused person and the accused person's surety, if any.

(3) The copies must be served at least 2 clear days before the day on which the application is to be heard (the "**hearing day**"), unless—

- (a) the court makes an order under rule 6 extending or shortening the time; or
- (b) the accused person and the accused person's surety, if any, agree in writing to attend on the hearing day despite receiving the copies less than 2 clear days before the hearing day.

(4) Subrule (2) does not apply if the application is made to the court before which the indictment was presented and the court makes an order, or the accused person and the accused person's surety, if any, agree, that the prosecutor may make the application orally.

Application by surety for discharge

27.(1) This rule applies subject to the *Bail Act 1980*, section 23.⁴

(2) A surety who applies to the court for a discharge from liability in relation to the accused person's undertaking must serve a copy of the filed application and any supporting affidavits or other documents (the "**copies**") on the prosecutor.

(3) The copies must be served at least 2 clear days before the day on which the application is to be heard (the "**hearing day**"), unless—

- (a) the court makes an order under rule 6 extending or shortening the time; or
- (b) the prosecutor agrees to receiving the copies less than 2 clear days before the hearing day.

³ *Bail Act 1980*, section 30 (Apprehension on variation or revocation of bail)

⁴ *Bail Act 1980*, section 23 (Application to court by surety for discharge)

CHAPTER 7—BENCH WARRANTS

Application for bench warrant

28.(1) A judge of the court before which an indictment is presented may issue or order the issue of a warrant directed to all police officers for the arrest of the person against whom the indictment is presented.

(2) For subrule (1), it is sufficient evidence of the indictment for a copy of it to be given to the judge.

(3) Any justice may issue a warrant ordered by the judge.

CHAPTER 8—SUBPOENAS

PART 1—GENERAL

Subpoenas

29.(1) This rule applies if—

- (a) a person is committed to be tried before a court; or
- (b) an indictment is presented against a person before a court; or
- (c) a person starts an appeal under these rules.

(2) The prosecutor, accused person, appellant or respondent (the “**party**”) may, by subpoena issued by the court’s registrar, require a person to attend the court or another court of the same jurisdiction and do either or both of the following—

- (a) give evidence;
- (b) produce a document or thing to the court.

(3) The party may, in the subpoena, require the person to attend the court—

- (a) on a particular day and at a particular time; or

- (b) in a particular period, not longer than the period in which the proceeding is listed for hearing, on a day and at a time notice of which is to be given to the person.

(4) If subrule (3)(b) applies, the party must, as soon as practicable, advise the person subpoenaed of the actual day and time the person is required to attend the court.

(5) Without limiting subrule (2), a party may apply to the court for an order allowing the party, by subpoena issued by the court's registrar, to require a person to produce a document or thing to the proper officer of the court on or before a stated day.

(6) The proper officer must hold the document or thing subject to the court's direction and must not allow anyone to inspect the document or thing other than as directed by the court.

(7) A person may apply to the court to inspect a document or thing produced under subrule (5).

(8) The application may be decided by hearing only the applicant, unless the court decides otherwise.

(9) A party serving a subpoena under this rule must file a copy of it with the registrar.

Medical, hospital and government records

30.(1) This rule applies to a person served with a subpoena requiring the person to produce to the court only a document of a following type—

- (a) a medical record;
- (b) a hospital record;
- (c) a record of a government department, or a statutory authority, of the Commonwealth or a State.

(2) The person may comply with the subpoena by giving the document to the proper officer of the court in a sealed envelope clearly marked 'court exhibits', or something similar, at least 1 clear day before the time stated for production in the subpoena.

(3) The person must attach a copy of the subpoena to the document or envelope.

(4) If the person asks the proper officer for a receipt for the document, the proper officer must give it to the person.

(5) The proper officer must—

- (a) keep the document in a safe place; and
- (b) if practicable, allow a party to inspect the document at the registry free of charge; and
- (c) if practicable, give a copy of the document to a party on payment of the fee prescribed in schedule 1; and
- (d) produce the document to the court as directed by the court.

(6) If the document is not tendered or admitted into evidence at the hearing of the proceeding for which it was produced, the proper officer must return the document to the person required to produce it—

- (a) at the end of the hearing of the proceeding for which it was produced; or
- (b) if the matter was not heard, at the end of the period in which the matter was listed for hearing.

Objecting to inspecting or copying medical, hospital and government records

31.(1) This rule applies if, when a person produces a document under rule 30, the person gives to the proper officer of the court a written statement—

- (a) objecting to the document or a stated part of it being inspected or copied; and
- (b) stating the grounds for the objection.

(2) The proper officer must not, without the court's leave—

- (a) allow anyone to inspect the document or part; or
- (b) give a copy of the document or part to anyone.

Prosecutor's obligations when document to be admitted in evidence

32.(1) This rule applies if the prosecutor intends to have a document produced under rule 30 admitted into evidence.

(2) The prosecutor must, within a reasonable time before the document is admitted into evidence, give to the other party—

- (a) notice of the prosecutor's intention; and
- (b) a copy of the document free of charge.

Setting aside or narrowing subpoena

33.(1) A person who has been served with a subpoena (the "**applicant**") may apply to the court for an order—

- (a) setting aside the subpoena; or
- (b) if the applicant is required to produce documents to the court under the subpoena—setting aside the subpoena or narrowing its scope, including, for example, by reducing the number of documents to be produced.

(2) The applicant must serve a copy of the application on the party who served the subpoena.

Applying for costs

34.(1) This rule applies if a subpoena is set aside or narrowed under rule 33.

(2) The person who was served with the subpoena (the "**applicant**") may apply to the court for an order that all or part of the applicant's costs incurred in applying to have the subpoena set aside or narrowed be paid by—

- (a) the party who served the subpoena; or
- (b) if the court finds the conduct of the party's lawyer in serving the subpoena was oppressive, vexatious or an abuse of process, the party's lawyer.

Travelling expenses

35. A person must comply with a subpoena only if an amount sufficient to meet the person's reasonable travelling expenses in complying with the subpoena, or a ticket or other travel document needed to comply with it, is tendered—

- (a) when the subpoena is served; or
- (b) within a reasonable time before attendance under the subpoena is required.

PART 2—SERVICE**Application of pt 2**

36. This part applies subject to a court order made under these rules.⁵

Service—individuals

37.(1) A person serving a subpoena on an individual must serve it personally on the individual by giving the subpoena or a copy of it to the individual.

(2) However, if the individual does not accept the subpoena or copy, the person may serve it by putting it down in the individual's presence and telling him or her what it is.

(3) The person need not show the original of the subpoena to the individual.

⁵ The *Acts Interpretation Act 1954*, section 39 also contains provisions about service that apply subject to a contrary intention.

Service—corporations

38. A person serving a subpoena on a corporation⁶ must serve it on the corporation at its head office or its principal or registered office by serving, under rule 37, an officer of the corporation or a person who appears to be in charge of the office.

Service—minors

39.(1) Subject to subrule (2), a person serving a subpoena on a minor⁷ must serve it instead on—

- (a) the minor's parent or guardian; or
- (b) if there is no parent or guardian, an adult who has the care of the minor or with whom the minor lives.

(2) A person serving a subpoena on a minor who is over 16 years may serve it on the minor only if the minor—

- (a) does not have a parent or guardian; or
- (b) is not apparently in the care of an adult or does not apparently live with an adult.

Service—intellectually impaired persons

40.(1) A person serving a subpoena on an intellectually impaired person who is under the care of an adult must serve it instead on the adult.

(2) In this rule—

“intellectually impaired person” means a person who has a disability that—

- (a) is attributable to an intellectual, psychiatric, cognitive or neurological impairment or a combination of the impairments; and

⁶ A **“corporation”** includes a body politic or corporate—*Acts Interpretation Act 1954*, section 36.

⁷ A **“minor”** is an individual who is under 18 years—*Acts Interpretation Act 1954*, section 36.

- (b) results in—
 - (i) a substantial reduction of the person’s capacity for communication, social interaction or learning; and
 - (ii) the person needing support.

CHAPTER 9—PRE-TRIAL DIRECTIONS AND RULINGS

Application of ch 9

41. This chapter applies if the Crown presents an indictment before a court against a person and a party to the trial (the “**party**”) wants the court to give a direction or ruling about the conduct of the trial under the Code, section 592A.⁸

Application for direction or ruling

42.(1) The party must apply to the court for the direction or ruling.

(2) The application must state—

- (a) the nature of the direction or ruling sought; and
- (b) whether a witness or anyone else is required to attend the hearing of the application.

(3) The party must serve a copy of the application on each other party at least 2 clear days before the day on which the application is to be heard (the “**hearing day**”).

(4) However, if the parties agree, the application may be served later than 2 clear days before the hearing day.

(5) Subrule (4) does not apply if the direction or ruling sought is about 1 or more of the following—

⁸ Criminal Code, section 592A (Pre-trial directions and rulings)

- (a) quashing or staying the indictment;
- (b) joining accused persons or charges;
- (c) deciding questions of law, including the admissibility of evidence and steps to be taken if evidence is inadmissible;
- (d) the psychiatric or other medical examination of the accused person;
- (e) referring the accused person to the Mental Health Tribunal.

Hearing of application

43.(1) The judge hearing the application may, subject to subrule (2)—

- (a) give the direction or ruling; or
- (b) adjourn the hearing to a stated later day.

(2) If the application is about a matter mentioned in rule 42(5), the judge must—

- (a) adjourn the hearing to a stated later day; or
- (b) if the parties agree to the hearing not being adjourned, give the direction or ruling.

(3) In this rule—

“later day” means—

- (a) a day at least 7 days after the application is adjourned; or
- (b) if the proceeding is listed for trial earlier than 7 days after the application is adjourned—the day, before the trial starts, agreed to by the parties.

CHAPTER 10—TRIAL PROCEEDINGS

Definition for ch 10

44. In this chapter—

“arraigner” means the trial judge’s associate, or a person appointed by the judge to arraign.

“proper officer” means a judge or a person appointed as the proper officer for rule 50 or 51 by a judge.

Application of ch 10

45.(1) This chapter applies at an accused person’s trial.

(2) This chapter also applies, with the necessary changes, to the hearing of a charge of a summary offence against an accused person under the Code, section 651.⁹

Procedure on arraignment—Code, s 594

46. The arraigner must address the accused person as follows—

(a) for an accused person arraigned alone—

‘AB, you are charged that on [state date] at [state place] you [state charge in the indictment using the second person].

‘AB, how do you plead, guilty or not guilty?’;

(b) for accused persons arraigned together—

‘AB and CD, you are charged that on [state date] at [state place] you [state charge in the indictment using the second person, and repeating the names of each accused person as to anything alleged against the accused person, to the exclusion of any other accused person].

‘AB, how do you plead, guilty or not guilty?’

‘CD, how do you plead, guilty or not guilty?’.

⁹ Criminal Code, section 651 (Supreme Court and District Court may decide summary offences)

Statement to accused person of right of challenge—Jury Act, s 39

47.(1) If the accused person pleads not guilty, the court must address the accused person as follows—

‘AB (and CD), these good people whom you will now hear called are the jurors who are to decide between the Crown and you on your trial.

‘If you wish to challenge them, or any of them, you must do so before the bailiff begins to recite the words of the oath.’

(2) In a private prosecution, the reference to the Crown must be replaced by a reference to the private prosecutor.

(3) In a Commonwealth prosecution, the reference to the Crown must be replaced by a reference to the prosecuting authority.

Giving the accused person into the charge of the jury—Jury Act, s 51

48. After the jury who have been sworn are called and they have answered, the judge must ensure the jury is addressed as follows—

‘Members of the jury, AB (and CD) is/are charged that on [state date] at [state place] he/she/they [state the offence charged in the words of the indictment].

‘To this charge he/she/they say that he/she/they is/are not guilty.

‘You are the jurors appointed according to law to say whether he/she/they is/are guilty or not guilty of the charge.

‘It is your duty to pay attention to the evidence and say whether he/she/they is/are guilty or not guilty.

‘Members of the jury, as early as is convenient, you must choose a person to speak on your behalf. You may change the speaker during the trial and any of you are free to speak.’

Giving jury a copy of the indictment

49. After the jury has been sworn, the judge may give to the jury a copy of the indictment with any changes, including omissions, the judge considers appropriate in the circumstances.

Addressing an accused person at the end of the prosecution evidence—Code, s 618

50. At the end of the prosecution evidence, the proper officer must address the accused person as follows—

‘The prosecution having closed its case against you, I must ask you if you intend to adduce evidence in your defence. This means you may give evidence yourself, call witnesses, or produce evidence.

‘You may do all or any of those things, or none of them.’.

Addressing a convicted person before sentencing—Code, s 648

51. If the plea or verdict is guilty, the proper officer must address the convicted person as follows—

‘AB, you have been convicted [for a plea of guilty say ‘on your own plea of guilty’] of [state the offence charged in the words of the indictment or by stating the heading of the schedule form for the offence]. Do you have anything to say as to why sentence should not be passed on you?’.

CHAPTER 11—EVIDENCE

Application of ch 11

52.(1) This chapter applies to a proceeding for an offence before the Supreme Court, the District Court or a Magistrates Court (the “**court**”).

(2) Rule 53 applies also to the Court of Appeal.

(3) In subrule (1)—

“**proceeding**”, for an offence, includes—

- (a) a proceeding in which a person is to be sentenced; and
- (b) for a Magistrates Court, a committal proceeding.

Evidence by telephone, video link or another form of communication

53. The court may decide to receive evidence or submissions by telephone, video link or another form of communication in a proceeding.

Evidence to be produced at appeal

54. The trial judge may give directions to ensure a thing received in evidence in the trial of an accused person is available to be produced in an appeal from the trial.

CHAPTER 12—CUSTODY AND INSPECTION OF EXHIBITS AND ACCESS TO COURT FILES**Custody of exhibits**

55.(1) A trial judge may make an order the trial judge considers appropriate about the production of an exhibit at the trial or the exhibit's custody or disposal.

(2) If an order to the contrary is not made under subrule (1) or rule 100(1)¹⁰ about the custody or disposal of an exhibit, the proper officer of the court of trial must hold the exhibit in safe keeping.

Inspection of exhibits

56.(1) A person may, on payment of the fee prescribed in schedule 1, inspect an exhibit produced at a trial unless the proper officer of the court of trial considers it may risk the exhibit's security or a person's safety.

(2) However, the trial judge may order that the exhibit—

- (a) not be inspected unless allowed by a further order of a court; or
- (b) be sealed and not opened unless allowed by a further order of a court.

¹⁰ Rule 100 (Returning exhibits)

Access to court files

57.(1) A person may, on payment of the fee prescribed in schedule 1—

- (a) search for or inspect—
 - (i) a court file, other than an exhibit or indictment in the file; or
 - (ii) a document, other than an exhibit or indictment, in a court file; or
- (b) subject to subrule (2), obtain from the court's proper officer a certified copy of the details, other than details about the jury, noted on an indictment in a court file.

(2) The proper officer may refuse to give a person a certified copy of details mentioned in subrule (1)(b) if the officer considers giving the details may risk a person's safety.

(3) A party in the proceeding to which the file relates may do a thing permitted under subsection (1) without paying the prescribed fee.

(4) Subrule (1) applies subject to a court order restricting access to the file or the file being required for the court's use.

CHAPTER 13—STAYS OF EXECUTION

Stays of execution

58.(1) This rule applies to an order made, on the conviction of a person before a court, about the following—

- (a) property;
- (b) the payment of an amount;
- (c) a disqualification.

(2) The court may stay execution of the order until a time the court considers appropriate.

CHAPTER 14—RECORDING PROCEEDINGS

Application of ch 14

59.(1) This chapter applies to proceedings on indictment.

(2) This chapter also applies, with necessary changes, to the hearing of a charge of a summary offence against an accused person under the Code, section 651.¹¹

Access to transcript

60.(1) A person may ask the State Reporting Bureau for a copy of the trial transcript for a proceeding.

(2) The request must be written and accompanied by the relevant fee prescribed in the *Recording of Evidence Regulation 1992*.

(3) Unless otherwise ordered by the court, on receipt of the request and fee, the State Reporting Bureau must give a copy of the transcript to the person.

Recording proceedings on indictment

61.(1) The judge at a proceeding relating to an accused person's indictment must ensure a record is kept of the following particulars about the proceeding—

- (a) for each appearance—
 - (i) the name of the judge; and
 - (ii) the name of the person who appeared for the accused person; and
 - (iii) the name of the person who appeared for the prosecutor; and
 - (iv) the nature of the appearance, including, for example, whether it was for a pretrial direction or ruling, or the trial;

¹¹ Criminal Code, section 651 (Supreme Court and District Court may decide summary offences)

- (b) any bail order;
- (c) the plea;
- (d) the jury details;
- (e) the verdict;
- (f) the judgment;
- (g) the sentence.

(2) The court may, by practice direction, prescribe which of the particulars mentioned in subrule (1) must be endorsed on the indictment for the proceeding.

(3) Subrule (4) applies if the court heard and decided a charge for a summary offence (the **“transmitted charge”**) against the accused person under the Code, section 651.¹²

(4) On the final decision of the transmitted charge, the judge must ensure the complaint or bench charge sheet for the transmitted charge is endorsed with the particulars mentioned in subrule (1)(a)(i) to (iii) and (g).

Verdict and judgment record

62.(1) The proper officer of the court must make a record containing the names of the persons tried, sentenced or otherwise dealt with by the court.

(2) The record must contain the following details about each person mentioned in subrule (1)—

- (a) the charge;
- (b) the legislative provision under which the person is charged;
- (c) the name of the judge;
- (d) the plea;
- (e) the verdict;
- (f) the sentence;
- (g) the judgment;

¹² Criminal Code, section 651 (Supreme Court and District Court may decide summary offences)

(h) any other order.

(3) A copy of the record must be given to the chief executive (corrective services).

(4) The record is a sufficient warrant for executing the judgments noted on it.

CHAPTER 15—APPEALS TO COURT OF APPEAL

PART 1—PRELIMINARY

Definitions for ch 15

63. In this chapter—

“**court**” means the Court of Appeal.

“**judge**” means a judge of appeal.

PART 2—APPEALS BY CONVICTED PERSONS

Division 1—Starting appeals

Application of div 1

64. This division does not apply to appeals by persons under the *District Court Act 1967*, section 118.¹³

¹³ For appeals by persons under the *District Court Act 1967*, section 118, see part 4 (Criminal jurisdiction and procedure).

Application for leave to appeal

65.(1) An applicant for leave to appeal must file a notice of application for leave to appeal with the registrar.

(2) The notice must—

- (a) be signed by the applicant or the applicant's lawyer; and
- (b) state, briefly and precisely, the grounds of the appeal.

(3) If the application is not filed in the appeal period, the applicant must also file with the registrar a notice of application for extension of time for filing the application for leave to appeal.

(4) If the court gives the applicant leave to appeal, the notice of application for leave to appeal is taken to be a notice of appeal filed under rule 66.

How to start appeal

66.(1) A person starts an appeal by filing a notice of appeal with the registrar.

(2) The notice must—

- (a) be signed by the person or the person's lawyer; and
- (b) state, briefly and precisely, the grounds of the appeal; and
- (c) for an appeal on a trial judge's certificate given under the Code, section 668D(1)(b),¹⁴ have the certificate fixed to it.

(3) If the notice is not filed in the appeal period, the person must also file with the registrar a notice of application for extension of time for filing the notice.

¹⁴ Criminal Code, section 668D (Right of appeal)

Division 2—Registrar’s powers and obligations**Registrar to give respondent copies of particular documents**

67. The registrar must give to the respondent to an appeal copies of any of the following documents filed with the registrar for the appeal—

- (a) the notice of appeal;
- (b) the notice of application for leave to appeal;
- (c) a notice of application for extension of time for filing a notice mentioned in paragraph (a) or (b).

Registrar to give interested persons notice about appeal

68.(1) This rule applies if a following matter mentioned in the Code, section 670(1)¹⁵ arises in an appeal—

- (a) an order for—
 - (i) the restitution of property; or
 - (ii) compensation to an aggrieved person;
- (b) the operation of the *Sale of Goods Act 1896*, section 26(1).¹⁶

(2) The registrar must give to each interested person who is not a party to the appeal written notice of the hearing day for the appeal.

(3) In this rule—

“interested person” means—

- (a) a person in whose favour the order is made; or
- (b) a person benefiting from the operation of the *Sale of Goods Act 1896*, section 26(1) in relation to the matter the subject of the appeal.

¹⁵ Criminal Code, section 670 (Revesting and restitution of property on conviction)

¹⁶ *Sale of Goods Act 1896*, section 26 (Revesting of property in stolen goods on conviction of offender)

Division 3—General provisions preliminary to hearing an appeal**Abandoning applications**

69.(1) This rule applies to an applicant for leave to appeal and to an applicant for extension of time within which to appeal.

(2) The applicant, at any time after filing the application, may abandon it by giving to the registrar a notice of abandonment of application.

(3) The application is taken to be refused by the court when the notice of abandonment is given to the registrar.

(4) However, if the court considers it necessary in the interests of justice, the court may set aside the abandonment and reinstate the application.

Abandoning appeal

70.(1) An appellant, at any time after starting an appeal, may abandon it by giving to the registrar a notice of abandonment of appeal.

(2) The appeal is taken to be dismissed by the court when the notice is given to the registrar.

(3) However, if the court considers it necessary in the interests of justice, the court may set aside the abandonment and reinstate the appeal.

Trial judge's directions etc. about revesting or restitution of property on conviction

71.(1) This rule applies if a court of trial—

- (a) directs that the operation of the following is not suspended under the Code, section 670(1)—
 - (i) an order for the restitution of property;
 - (ii) the *Sale of Goods Act 1896*, section 26(1); and
- (b) considers the property, or a sample, portion or copy of it is reasonably necessary for the hearing of an appeal.

(2) The trial judge may give the directions about the restitution or re-vesting of the property as the trial judge considers appropriate to ensure the property or a sample, portion or copy of it is produced for the hearing of the appeal.

Certificate of conviction

72.(1) This rule applies if a person (the “**requester**”) asks the proper officer of the court of trial before which a person was convicted of an indictable offence to give to the requester a certificate of the person’s conviction.

(2) The proper officer may give the certificate to the requester only if—

- (a) the appeal period for the offence has ended; and
- (b) an appeal has not started or a notice of application for leave to appeal has not been filed.

(3) If an appeal has started or a notice of application for leave to appeal has been filed, the proper officer may give the certificate to the requester only if—

- (a) the final decision on the appeal or application has been given; or
- (b) the appeal or application has been abandoned.

Lawyer acting for convicted person

73.(1) A lawyer acting for a convicted person in an appeal must—

- (a) give written notice that the lawyer acts for the convicted person to the registrar of the court; and
- (b) give a copy of the notice to the respondent.

(2) The notice must state the lawyer’s—

- (a) address for service; and
- (b) telephone and facsimile number; and
- (c) e-mail address, if any.

(3) The lawyer must comply with subrule (1)—

- (a) no later than 14 days before the day the appeal is set down for hearing (the “**hearing day**”); or
- (b) if the hearing day is sooner than the 14 days, as soon as possible.

(4) A lawyer acting for a convicted person who files a notice of appeal or notice of application for leave to appeal is taken to continue acting for the convicted person until the earliest of the following happens—

- (a) the lawyer gives a notice to the registrar under rule 74(1);
- (b) the lawyer is given the court’s leave to withdraw from acting for the convicted person under rule 74(2).

Lawyer withdrawing from acting for convicted person

74.(1) A lawyer who is no longer instructed to act for a convicted person in an appeal may withdraw from acting for the convicted person in the appeal by—

- (a) as soon as possible after becoming aware that the lawyer is no longer instructed to act, giving the registrar written notice that the lawyer no longer acts for the convicted person; and
- (b) at the same time, giving a copy of the notice to each of the following persons at the person’s address that is last known to the lawyer—
 - (i) the respondent;
 - (ii) the convicted person.

(2) A lawyer who wants to withdraw from acting for a convicted person in an appeal, other than because the lawyer is no longer instructed to act for the convicted person, may withdraw by—

- (a) giving written notice to the registrar that the lawyer intends seeking the court’s leave to withdraw from acting for the convicted person in the appeal; and
- (b) giving a copy of the notice to—
 - (i) the respondent; and
 - (ii) if the lawyer knows the convicted person’s current address, the convicted person; and

- (c) obtaining the court's leave to withdraw from acting for the convicted person in the proceeding.
- (3) The lawyer must give the notice or copy mentioned in subrule (2)—
 - (a) no later than 14 days before the hearing day; or
 - (b) if the hearing day is sooner than the 14 days, as soon as possible.

Division 4—Attendance at appeal

Application for leave to be present

75. If an appellant indicates on the notice of appeal or notice of application for leave to appeal that the appellant wants to be present at the hearing of the appeal, the notice is taken also to be an application for leave to be present at the appeal.

Appellant on bail

76. If an appellant who has been admitted to bail and is not legally represented does not attend a hearing of the appeal, the court may do the following—

- (a) consider the appeal in the appellant's absence;
- (b) decline to consider it;
- (c) summarily dismiss it;
- (d) make another order the court considers appropriate;
- (e) issue a warrant for the appellant's apprehension.

Appellant in custody

77.(1) This rule applies to an appellant who is not legally represented and is in custody.

(2) If the appellant is in prison, the prison's general manager must give to the registrar written notice that the appellant is in prison.

(3) If the appellant is in custody in a place other than a prison, the person in charge of the place must give to the registrar written notice that the appellant is in custody in the place.

(4) The registrar may ask the court for directions about the appeal, including, for example, about the appellant's attendance at the appeal.

Division 5—Provisions about particular orders made when appeal upheld

Registrar to give notice of particular orders

78.(1) This rule applies if the court makes a following order under the Code, section 672¹⁷—

- (a) an order staying execution of an order quashing an appellant's conviction;
- (b) an order for the appellant's detention or return to the appellant's former custody;
- (c) an order giving bail to the appellant.

(2) The registrar must give written notice of the order and its terms to the following persons—

- (a) the appellant;
- (b) if the appellant is or was in custody, the chief executive (corrective services) and—
 - (i) the general manager of the prison in which the appellant is or was in custody; or
 - (ii) if subparagraph (i) does not apply, the person in charge of the place other than a prison in which the appellant is or was in custody.

(3) Subrule (4) applies if an order mentioned in subrule (1)(b) or (c) was made on the application of a Crown law officer pending the hearing of an appeal to the High Court against the quashing of the appellant's conviction.

¹⁷ Criminal Code, section 672 (Appeals from the decisions of the Court)

(4) The registrar, when giving a notice under subrule (2), must also give to the appellant a written notice stating that if the appellant considers himself or herself wronged by any failure to diligently prosecute the appeal, the appellant may apply to the court or a judge for an order under the Code, section 672(3) for—

- (a) the immediate execution of the original order quashing the conviction; and
- (b) the appellant's immediate release; and
- (c) the payment of compensation to the appellant as the court or judge considers appropriate.

Crown law officer may be heard on application for immediate execution of original order etc.

79.(1) A Crown law officer may be heard on an appellant's application for an order mentioned in rule 78(4)(a) to (c) before the order is made.

(2) The registrar must give the Crown law officer at least 1 clear day's notice of the hearing of the application.

Court's power to order re-arrest on appeal by Crown law officer

80.(1) This rule applies if—

- (a) the court or a judge makes an order under the Code, section 672(2)¹⁸ for the detention of an appellant pending the hearing of an appeal to the High Court against the quashing of the appellant's conviction ("**detention order**"); and
- (b) the appellant has been discharged from the appellant's former custody.

(2) The court may, when the detention order is made or afterwards, issue a warrant for the appellant's apprehension and committal into custody.

¹⁸ Criminal Code, section 672 (Appeals from the decisions of the Court)

PART 3—ATTORNEY-GENERAL’S APPEALS AND REFERENCES OF POINTS OF LAW

Starting appeal

81.(1) The Attorney-General starts an appeal under the Code, section 669A(1)¹⁹ by filing a notice of appeal with the registrar.

(2) Subject to subrule (6), the Attorney-General must serve a copy of the filed notice of appeal on the respondent to the appeal personally.

(3) However, if the respondent is in custody, the Attorney-General may serve the copy on the respondent by leaving it with a following person—

- (a) if the respondent is in prison, the prison’s general manager;
- (b) if the respondent is in custody in a place other than a prison, the person in charge of the place.

(4) If the appeal is about a summary conviction for an indictable offence about which the convicted person has appealed to a District Court judge under the *Justices Act 1886*, section 222,²⁰ the Attorney-General must serve a copy of the notice of appeal on the District Court registrar.

(5) An affidavit of proof of service under this rule may be filed with the Court of Appeal registrar.

(6) If the court considers it appropriate, the court may hear an appeal even though the Attorney-General has not served a copy of the notice of appeal on the respondent.

Referring point of law

82.(1) The Attorney-General refers a point of law under the Code, section 669A(2) by filing a notice of reference with the registrar.

(2) The notice must state, precisely and comprehensively, the point of law referred.

¹⁹ Criminal Code, section 669A (Appeal by Attorney-General)

²⁰ *Justices Act 1886*, section 222 (Appeal to a single judge)

(3) The Attorney-General must give a copy of the filed notice of reference to the acquitted or discharged person by—

- (a) serving the acquitted or discharged person personally with the copy; or
- (b) leaving the copy with some person at the acquitted or discharged person's usual place of business or residence, or place of business or residence last known to the Attorney-General; or
- (c) giving the copy to the lawyer who represented the acquitted or discharged person at the trial to which the notice of reference relates.

PART 4—PARTICULAR APPEALS UNDER DISTRICT COURT ACT 1967, SECTION 118

Application of pt 4

83. This part applies to appeals by persons under the *District Court Act 1967*, section 118.²¹

Application for leave to appeal

84.(1) An applicant for leave to appeal must file a notice of application for leave to appeal with the registrar.

(2) The notice must—

- (a) be signed by the applicant or the applicant's lawyer; and
- (b) identify the judgment against which the appeal is brought; and
- (c) state, briefly and precisely—
 - (i) the grounds of the appeal; and

²¹ *District Court Act 1967*, section 118 (Appeal to the Court of Appeal in certain cases)

- (ii) why the Court of Appeal should grant a further appeal to the court from the District Court.

Time for filing and serving notice

85. A notice of application for leave to appeal must, unless the Court of Appeal orders otherwise—

- (a) be filed within the appeal period; and
- (b) be served as soon as practicable on all other parties to the appeal.

Abandoning application

86.(1) An applicant for leave to appeal, at any time after filing the notice, may abandon the application by giving to the registrar a notice of abandonment of application.

(2) The application is taken to be refused by the court when the notice of abandonment is given to the registrar.

(3) However, if the court considers it necessary in the interests of justice, the court may set aside the abandonment and reinstate the application.

PART 5—APPEALS FROM INFORMATIONS PRESENTED BY PRIVATE PERSONS FOR INDICTABLE OFFENCES

Definitions for pt 5

87. In this part—

“**private prosecutor**” means a person who presents an information against someone else under the Code, section 686.²²

“**trial prosecutor**” means the prosecutor before the court of trial.

²² Criminal Code, section 686 (Information by leave of the Court by private prosecutors)

Duties of registrar

88.(1) This rule applies if the registrar—

- (a) receives a notice of appeal or notice of application for leave to appeal about an information presented by a private prosecutor; and
- (b) the registrar considers the notice shows a substantial ground of appeal.

(2) If the trial prosecutor was a Crown law officer or a Crown prosecutor, the registrar must give to the Crown law officer written notice of the appeal.

(3) If the trial prosecutor was the private prosecutor, the registrar must ask the private prosecutor or the private prosecutor's lawyer whether the private prosecutor intends to undertake the defence of the appeal.

(4) If the private prosecutor declines to undertake the defence, the registrar must give written notice to the Crown law officer that the private prosecutor has declined to undertake the defence of the appeal.

Information and things to be given to registrar or Crown law officer

89.(1) This rule applies if—

- (a) a private prosecutor declines to undertake the defence of an appeal about an information presented by the private prosecutor; and
- (b) the registrar or Crown law officer considers relevant material in the possession or under the control of the private prosecutor or the private prosecutor's lawyer is needed to carry out the duties of the registrar or Crown law officer for the appeal.

(2) The registrar or Crown law officer may, by written notice, ask the private prosecutor or private prosecutor's lawyer to give the material to the registrar or Crown law officer by a stated day.

(3) If the private prosecutor or lawyer does not comply with the request, the court may order the private prosecutor or lawyer to comply with it.

(4) In this rule—

“relevant material” means information, a document or anything else connected with the proceedings against the appellant.

Court may order Crown law officer to defend appeal

90.(1) This rule applies to an appeal mentioned in this part defended by a private prosecutor.

(2) The court may—

- (a) order the Crown law officer to take over the defence of the appeal and be responsible, for the State, for further proceedings in the appeal; and
- (b) make any other order it considers appropriate.

PART 6—OTHER PROVISIONS ABOUT APPEALS*Division 1—Preliminary***Definitions for pt 6**

91. In this part—

“**appeal**” includes an application about an appeal and a reference by the Attorney-General.

“**party**” means a party to an appeal.

*Division 2—Time for appealing and applying for leave to appeal***Working out time for appealing or applying for leave to appeal**

92. For the Code, section 671²³—

- (a) the date of conviction is the day on which—
 - (i) the accused person pleads guilty; or
 - (ii) the jury gives its verdict of guilt; and

²³ Criminal Code, section 671 (Time for appealing)

- (b) the date of sentence is the day on which the court sentences the convicted person.

Division 3—Registrar's powers and obligations

Registrar to give notice of probable hearing day

93. If a party is or was in custody, the registrar must give written notice of the probable hearing day for the appeal to the following—

- (a) the party;
- (b) the chief executive (corrective services) and—
 - (i) the general manager of the prison in which the party is or was in custody; or
 - (ii) if subparagraph (i) does not apply, the person in charge of the place other than a prison in which the party is or was in custody.

Registrar's power to ask for trial judge's comments

94.(1) This rule applies if—

- (a) an appeal is started; or
- (b) the registrar is given notice that a party to an appeal disputes the accuracy of a trial transcript.

(2) The registrar must ask the trial judge who dealt with the case the subject of the appeal to give to the registrar the trial judge's written comments on the following—

- (a) the case generally;
- (b) a point arising in the appellant's case;
- (c) the accuracy or otherwise of the trial transcript.

(3) The trial judge may—

- (a) give the written comments if the trial judge considers it desirable to do so; and

(b) state in the comments any inaccuracy in the trial transcript, whether or not a party has alleged the inaccuracy.

(4) The trial judge's comments given under this rule form part of the appeal record.

(5) The court may decide an appeal without the trial judge's written comments if it considers it appropriate.

(6) This rule does not apply to an appeal under the *District Court Act 1967*, section 118.²⁴

Registrar's power to ask for things for court

95.(1) If directed by the court, the registrar must ask the person having custody of a relevant thing to give it to the registrar for an appeal before the court.

(2) The registrar may ask the person having custody of a relevant thing to give it to the registrar for an appeal if—

- (a) a party asks the registrar to obtain the thing for the appeal; or
- (b) the registrar considers it necessary for the court's decision on the appeal.

(3) If the person having custody of the thing does not comply with the registrar's request, the court may order the person to comply with it.

(4) A party may inspect the thing free of charge at a reasonable time decided by the registrar.

(5) On the court's final decision on the appeal, the registrar must return the thing to the person from whom it was obtained.

(6) In this rule—

“person having custody”, of a relevant thing, means the proper officer of the court of trial, the Crown prosecutor, the Crown Solicitor, or anyone else having custody of the thing.

“relevant thing” includes the following—

²⁴ *District Court Act 1967*, section 118 (Appeal to the Court of Appeal in certain cases)

- (a) the original deposition of a witness examined before a magistrate or coroner;
- (b) an indictment, or abstract or copy of all or part of an indictment, against the appellant;
- (c) an aid used at the trial, including for example, a transcript used as an aid to an audio or video tape.

Service of orders and notices

96.(1) The following orders must be served personally, unless the court directs otherwise—

- (a) an order to produce a document, exhibit or other thing for a proceeding in an appeal;
- (b) an order requiring a witness to attend before the court or an examiner.²⁵

(2) The registrar may ask the Commissioner of the Police Service to ensure that an order or notice to be given to a person by the registrar under this division is served on the person personally by a police officer.

Appeal record book

97.(1) As soon as practicable after an appeal is started, the registrar must prepare a record book for the appeal and the number of copies of the book the registrar considers necessary for the appeal.

(2) The record book must contain the following documents, to the extent the registrar considers the documents necessary for the court's decision on the appeal—

- (a) the notice of appeal, notice of application for leave to appeal or notice of reference;
- (b) the trial transcript;
- (c) the exhibits tendered at the trial;
- (d) any other document.

²⁵ See part 7, division 4 (Evidence and examination of witnesses).

(3) In deciding whether a document is necessary under subrule (2), the registrar may consult with the parties.

(4) Subject to subrules (5) and (6), the appellant is responsible for paying for the preparation and copying of the appeal record book.

(5) If the appellant's lawyer is, or is funded by, Legal Aid Queensland, the appellant is only responsible for paying for 1 copy of the appeal record book.

(6) Subrule (4) does not apply if the appellant is the Attorney-General or is not legally represented.

(7) Despite subrules (4) and (5), the court or a judge may, by order, waive all or part of the cost of preparing and copying the appeal record book.

Division 4—Parties' access to particular records and exhibits

Parties' access to documents and exhibits held by registrar

98.(1) Subject to subrules (2) to (5), a party or the party's lawyer may, on payment to the registrar of the fee prescribed in schedule 1—

- (a) inspect or obtain a copy of a document or part of a document held by the registrar for the appeal; or
- (b) inspect an exhibit, other than a document, held by the registrar for the appeal.

(2) If a party's lawyer is, or is funded by, Legal Aid Queensland, the registrar must—

- (a) give to the lawyer a copy of a document requested by the lawyer, free of charge, unless the registrar decides the copy is not necessary for the appeal; or
- (b) allow the lawyer to inspect a document or exhibit held by the registrar for the appeal.

(3) The registrar must give a copy of a document requested by a following person to the person, or allow the person to inspect a document or exhibit held by the registrar, free of charge—

- (a) the Attorney-General;
- (b) the director of public prosecutions.

(4) The registrar may give a copy of a document held by the registrar to a party free of charge if—

- (a) the party is not legally represented; and
- (b) the party asks the registrar for the copy; and
- (c) the registrar considers that, in all the circumstances, it is reasonable to give the copy to the party free of charge.

(5) The court or a judge may, by order, waive all or part of the cost of inspecting a document or exhibit or copying a document.

(6) In this rule—

“**document**” does not include the appeal record book and the trial transcript.

Publication of pre-sentence and psychiatric reports

99. The court or a judge may direct that a pre-sentence report or psychiatric report must not be published under this part to a party if the court or judge decides—

- (a) the publication may adversely affect the party’s mental or physical health; and
- (b) publication to the party’s lawyer will be enough to protect the party’s interest in the appeal.

Division 5—Returning exhibits

Returning exhibits

100.(1) The court in giving its final decision on an appeal may make the orders it considers appropriate about the return of an exhibit used in the appeal.

(2) If the court does not make an order under subrule (1), the exhibit must be returned to—

- (a) if it was first produced in the court—the person who produced it; or
- (b) otherwise—the proper officer of the court of trial.

PART 7—MISCELLANEOUS

Division 1—Cases stated

Application of div 1

101. This division applies to—

- (a) a case stating a question of law reserved under the Code, section 668B;²⁶ and
- (b) a case reserved under the Code, section 668C.²⁷

What case must state

102.(1) A case mentioned in rule 101 must state only the facts relevant to the question or case reserved.

(2) A case mentioned in rule 101(a) must state, precisely and comprehensively, the question of law reserved and, if the accused person is convicted and the question of law is reserved before judgment—

- (a) whether—
 - (i) judgment was pronounced and execution of the judgment was respited; or
 - (ii) judgment was postponed; and
- (b) whether the accused person was committed into custody or given bail.

²⁶ Criminal Code, section 668B (Reservation of points of law)

²⁷ Criminal Code, section 668C (Appeal from arrest of judgment)

Giving copies of case to particular persons and amending case

103.(1) The trial judge stating a case must give—

- (a) the case and a copy of the relevant part of the trial transcript to the registrar; and
- (b) a copy of the case and relevant part of the trial transcript to each of the prosecutor and the accused person.

(2) The trial judge may amend the case before the question of law is heard by the court.

(3) If the trial judge amends the case under subrule (2), the trial judge must give a copy of the amended case to each of the registrar, prosecutor and accused person as soon as possible before the question of law is heard.

Division 2—Powers exercisable by a judge**Application to judge**

104.(1) This rule applies to a following application in which a judge may exercise the court's powers—

- (a) an application for leave to appeal;
- (b) an application for extension of time in which a notice of appeal or of application for leave to appeal may be given;
- (c) an application for leave for the appellant to be present at a proceeding;
- (d) an application under the Code, section 671B(1)(a), (b), (d) or (e).²⁸

(2) Unless the court directs otherwise, the application must, in the first instance, be decided by the judge.

²⁸ Criminal Code, section 671B (Supplemental powers)

Judge's decision

105.(1) The registrar must give to the applicant written notice of the judge's decision on an application made to the judge under this division.

(2) If the application is refused and the applicant does not apply to the court for a rehearing under rule 106, the judge's decision is taken to be the final decision on the application.

(3) In this rule—

“**applicant**” means a person who makes an application mentioned in rule 104.

Rehearing by court

106.(1) If a judge refuses an application mentioned in rule 104, the applicant may apply to the court for the application to be reheard by the court.

(2) An application under subrule (1) must be filed with the registrar within—

- (a) 7 days after the notice mentioned in rule 105(1) is given; or
- (b) the further period allowed by the judge or court.

(3) The appellant may be present at the rehearing only with the court's leave.

(4) The judge may sit as a member of the court and participate in the decision on the appeal.

Division 3—Applications and notices of appeal by persons in custody**Application and notice of appeal by person in custody**

107. An application or notice of appeal to the court by a person who is in custody is taken to have been given to the registrar at the time it is given to—

- (a) if the person is in prison, the prison's general manager; or

- (b) if the person is in custody other than in a prison, the person in charge of the place in which the person is held in custody.

Division 4—Evidence and examination of witnesses

Application for leave to adduce evidence

108.(1) If an appellant wants to adduce evidence at the hearing of the appeal, the appellant must apply to the court for leave to adduce evidence.

(2) An application for leave to adduce evidence must be accompanied by an affidavit of the witness giving or producing the evidence.

(3) The affidavit must state the following—

- (a) for evidence that is to be given by the witness—what the evidence is;
- (b) for evidence that is to be produced by the witness—the nature of the evidence.

Order for examination of witness

109.(1) This rule applies if the court orders a witness to attend and be examined before the court or a person appointed by the court (“**examiner**”) under the Code, section 671B(1)(b).²⁹

(2) If the court orders the witness to be examined before the court, the order must state the time and place at which the witness is required to attend for the examination.

(3) If the court orders the witness to be examined before an examiner, the order must state the following—

- (a) the examiner’s name;
- (b) the names of the witnesses to be examined;
- (c) the place for taking the examination.

²⁹ Criminal Code, section 671B (Supplemental powers)

(4) The registrar must ensure a copy of the order is served on each witness named in it.

Notice of day and time for examination by examiner

110.(1) An examiner appointed to examine a witness under this division must give to the registrar written notice of the day and time set by the examiner for the examination.

(2) The registrar must give written notice of the day and time to the following—

- (a) the party to the appeal, or the party's lawyer (if any), who applied for the examination order;
- (b) if the party who applied for the examination order is in prison, the prison's general manager;
- (c) if the party who applied for the examination order is in custody in a place other than prison, the person in charge of the place;
- (d) each witness to be examined before the examiner.

(3) In this rule—

“examination order” means an order for the examination of a witness made by the court.

Witnesses' travelling expenses

111.(1) This rule applies to a witness who is served by a police officer with an order or notice requiring the witness to attend before the court or an examiner under this division.

(2) If the police officer considers it necessary, the police officer may pay to the witness a reasonable amount for the witness's travelling expenses from the witness's place of residence to the place stated in the order or notice as the place for the examination.

(3) The amount paid to the witness under subrule (2) must not be more than the amount approved by the Crown law officer for the travelling expenses.

(4) The police officer must give to the registrar a certificate certifying the amount paid to the witness.

(5) The amount certified under subrule (4) is taken to be a cost of the prosecution.

Parties may attend examination

112. A party to an appeal to which an examination under this division relates, or the party's lawyer, may attend the examination and participate in the examination of any witness.

Registrar to give examiner documents or other things for examination

113.(1) If asked by an examiner, the registrar must give to the examiner any documents or other things relating to the appeal to which the examination relates.

(2) After the examination, the examiner must give to the registrar—

- (a) the documents and other things obtained under subrule (1); and
- (b) the depositions taken by the examiner in the examination.

Procedure for examination

114.(1) A witness giving evidence before an examiner must give the evidence on oath, unless, if the evidence were given in a trial, the evidence need not be given on oath.

(2) The examiner must administer the oath to the witness.

(3) An examiner taking a deposition from a witness must—

- (a) take the deposition in private; and
- (b) ensure it is—
 - (i) written; and
 - (ii) read to the witness; and
 - (iii) signed by the witness and the examiner.

Division 5—Orders referring questions for inquiry and report to commissioners

Content of order

115.(1) This rule applies to a court order referring a question for inquiry and report to a commissioner under the Code, section 671B(1)(d).³⁰

(2) The order must state—

- (a) the question referred; and
- (b) the name of the commissioner to whom it is referred.

(3) The court may, in the order, or at any time by direction, do the following—

- (a) state whether a party to the appeal to which the order relates, or the party's lawyer, may attend all or part of the examination or investigation the subject of the order;
- (b) if the appellant is in custody—
 - (i) give leave to the appellant to attend any stage of the examination or investigation; or
 - (ii) give any necessary directions to—
 - (A) if the appellant is in prison, the prison's general manager; or
 - (B) if the appellant is in custody in a place other than prison, the person in charge of the place;
- (c) state the powers the commissioner may exercise under the order;
- (d) require the commissioner to make interim reports to the court on the question referred under the order;
- (e) require the registrar to give copies of any report made by the commissioner to the parties or their lawyers.

³⁰ Criminal Code, section 671B (Supplemental powers)

Division 6—Decision on appeal**Notice of appeal decision**

116.(1) This rule applies to—

- (a) an appeal or application about an appeal heard by the court; or
- (b) an application about an appeal heard by a judge.

(2) As soon as practicable after the court or judge gives the final decision on the appeal or application, the registrar must, by written notice, give the particulars of the decision to the following persons—

- (a) the appellant;
- (b) the respondent;
- (c) the chief executive (corrective services);
- (d) the proper officer of the court of trial;
- (e) any person who was given the court's leave to attend and be heard on the appeal.

(3) The proper officer of the court of trial must keep a record of the particulars.

Registrar to notify appellant of application result

117.(1) This rule applies if an appellant is in custody and was not present at the hearing of an application about the appellant's appeal before the court or a judge.

(2) The registrar must give to the appellant written notice of the decision of the court or judge on the application.

Division 7—Other miscellaneous provisions about appeals**Trial judge's certificate**

118. If a trial judge certifies under the Code, section 668D(1)(b)³¹ that a case is fit for appeal, the trial judge must give the certificate to the convicted person to whom the case relates.

Dealing with fine pending appeal

119.(1) This rule applies if a convicted person is sentenced to pay a fine.

(2) An amount paid by the person as the fine, or part of the fine, must be kept by the proper officer of the court until—

- (a) the end of the appeal period; or
- (b) if the convicted person starts an appeal, the final decision on the appeal.

(3) Subject to a court order, if the person appeals successfully against the conviction or sentence, the proper officer must refund to the person the amount decided by the court on the appeal.

Warrants issued by court taken to be issued under Justices Act 1886

120. A warrant for the apprehension of an appellant issued by the court under this chapter is taken to be, for all purposes, a warrant issued by a justice for the apprehension of the person under the *Justices Act 1886*.

Registrar's certificate about expenses allowed on appeal

121.(1) The registrar must give to the Crown law officer a certificate certifying the amounts allowed by the registrar under the Code, section 671F³² for expenses on an appeal.

³¹ Criminal Code, section 668D (Right of appeal)

³² Criminal Code, section 671F (Costs of appeal)

(2) Subject to the Code, section 671F, a person named in the certificate to whom an amount stated in the certificate is proposed to be paid may ask the court or a judge to review the amount.

(3) The request must be written and given to the registrar within 14 days after the day the registrar gives the certificate.

(4) The registrar must amend the certificate if directed to do so by the court or judge on the review.

(5) A person can not appeal against or question in any way—

(a) a certificate for which an application for review has not been made under this rule; or

(b) a certificate that has been amended under subrule (4).

(6) A certificate mentioned in subrule (5)(a) or (b) is sufficient authority for the payment to a person named in the certificate of the amount stated in the certificate as payable to the person.

CHAPTER 16—MISCELLANEOUS

Repeal

122. The *Criminal Practice Rules 1900* are repealed.

SCHEDULE 1**FEES**

	rule 11
	\$
1. Searching or inspecting a court file or document	10.00
2. Certificate under rule 57	37.00
3. Copying a document or part of it—	
(a) first copy—each page	0.80
(b) additional copies to same party—each page	0.50
4. Inspecting an exhibit, other than a document	10.00
5. Preparing and copying appeal record book—	
(a) first copy—each page	1.50
(b) additional copies to same party—each page	0.50
(c) binding appeal record book—each book	6.60

SCHEDULE 2**FORMS FOR INDICTMENTS AND
INFORMATIONS—FORMAL PARTS**

rules 12 to 14

Form 1—Indictment in the Supreme CourtIn the Supreme Court of Queensland at [*state the place*].

The Queen against AB (and CD).

The day of .

RNM informs the court that on the day of
at [*state the place where the offence was
committed to show that the case is within the jurisdiction of the court*] AB
(and CD) [*state the statement of offence*].

This prosecution (*or* The prosecution of count [*insert number*]) is
instituted by the direction of (*or* with the consent of) the Attorney-General
(*or* the director of public prosecutions) (*or* at the request of the government
of [*name the State*]).

(Signed) Crown law officer (or Crown prosecutor).

Form 2—Indictment in the District CourtIn the District Court at [*state the place*].

The Queen against AB (and CD).

 SCHEDULE 2 (continued)

The day of .

RNM informs the court that on the day of
 at [*state the place where the offence was
 committed to show that the case is within the jurisdiction of the court*] AB
 (and CD) [*state the statement of offence*].

This prosecution (*or* The prosecution of count [*insert number*]) is
 instituted by the direction of (*or* with the consent of) the Attorney-General
 (*or* the director or public prosecutions) (*or* at the request of the government
 of [*name the State*]).

(Signed) Crown law officer (or Crown prosecutor).

Form 3—Information by leave under section 686 of the Code

In the Supreme Court of Queensland at [*state the place*].

The Queen on the prosecution of ZY [*the prosecutor*] against AB.

The day of .

ZY, by leave of the Supreme Court informs the court that [*etc. as in
 form 1*].

(Signed) ZY

SCHEDULE 3**FORMS FOR INDICTMENTS, INFORMATIONS AND
COMPLAINTS—STATEMENT OF OFFENCES
UNDER THE CODE**rules 13 to 15³³**PART 1—INTRODUCTORY****CHAPTER 2—PARTIES TO OFFENCES****Form 4—Counselling (or Procuring)** [*state offence e.g. by using the schedule form heading*]**(Section 7. Counselling or procuring commission of offences)**

1. Counselling MN to [*describe the offence counselled e.g. by using the schedule form*].
2. Procured MN to [*describe the offence procured e.g. by using the schedule form*].

CHAPTER 3—APPLICATION OF CRIMINAL LAW**Form 5****(Section 12. Application of Code as to offences wholly or partially committed in Queensland)**On [*date(s)*], partly at [*state place out of Queensland*] and partly at [*state place in Queensland*], [*describe offence e.g. by using the schedule form*].

³³ The headings used in this schedule follow the headings used in the Code.

SCHEDULE 3 (continued)

Form 6—Enabling [or aiding, procuring or counselling] [state offence e.g. by using the schedule form heading]**(Section 13. Offences enabled, aided, procured or counselled by persons out of Queensland)**

1. [Describe the offence committed in Queensland by the principal offender (MN) e.g. by using the schedule form]:

and on (date) at [state place of act (outside Queensland)], EF:

- (a) did (or omitted to) [describe act], for the purpose of enabling (or aiding) MN to commit the offence; or
- (b) aided MN in committing the offence; or
- (c) counselled (or procured) MN to commit the offence.

2. On [date] at [state place out of Queensland] AB procured MN to [describe offence e.g. by using the schedule form] in Queensland.

Form 7—Procuring [state offence e.g. by using the schedule form heading] outside Queensland**(Section 14. Offences procured in Queensland to be committed out of Queensland)**

Procured EF to [describe the act or omission] at [state place not in Queensland] and had AB done the act (or made the omission) in Queensland, AB would have been guilty of an offence, namely [state offence e.g. by using the schedule form heading] and had AB done the act (or made the omission) in [state place not in Queensland where act was to be done (or omission was to be made)], he (or she) would have been guilty of an offence under the laws in force at the place.

SCHEDULE 3 (continued)

**Form 8—[state offence e.g. by using the schedule form heading]
committed on the high seas****(Section 14A. Offences committed on the high seas)****1. [Delete reference to place in the formal part, then continue]:**

Being a person connected with Queensland, while on (*or* in, under, or over) the high seas within 320 km of Queensland, [*describe offence e.g. by using the schedule form*].

2. [Delete reference to place in the formal part, then continue]:

While on (*or* in, under, or over) the high seas within 320 km of Queensland AB committed an offence affecting the person (*or* property) of EF, a person connected with Queensland, namely [*describe offence e.g. by using the schedule form*], and afterwards, on [*date*] AB came into Queensland.

PART 2—OFFENCES AGAINST PUBLIC ORDER**CHAPTER 7—SEDITION****Form 9—Unlawful oath to commit [state offence e.g. by using the
schedule form heading]****(Section 47. Unlawful oaths to commit certain crimes)**

1. Administered [*or* Was present at and consented to the administering] to MN [*of*] an oath [*or* an engagement in the nature of an oath] purporting to bind MN to commit the crime of murder (*or* piracy or attempted piracy).

2. Took an oath [*or* an engagement in the nature of an oath] purporting to bind him [*or* her] to commit the crime of murder (*or* piracy or attempted piracy) he [*or* she] not being compelled to take the oath [*or* engagement].

SCHEDULE 3 (continued)

3. Attempted to induce MN to take an oath [*or* an engagement in the nature of an oath] purporting to bind MN to commit the crime of murder (*or* piracy or attempted piracy).

Form 10—Unlawful oath to commit [*state offence e.g. by using the schedule form heading*]

(Section 48. Other unlawful oaths to commit offences)

1. Administered [*or* Was present at and consented to the administering] to MN [*of*] an oath [*or* an engagement in the nature of an oath] purporting to bind MN—

- (a) to engage in a mutinous [*or* seditious] enterprise; *or*
- (b) to commit an indictable offence namely, [*state offence e.g. by using the schedule form heading*]; *or*
- (c) to disturb the public peace; *or*
- (d) to be of an association (*or* society *or* confederacy) formed for engaging in a mutinous (*or* seditious) enterprise (*or* of committing an indictable offence namely, [*state offence e.g. by using the schedule form heading*], *or* of disturbing the public peace); *or*
- (e) to obey the order (*or* commands) of a committee (*or* body) of people not lawfully constituted (*or* of a leader (*or* commander *or* person) not having authority by law to give the order (*or* commands)); *or*
- (f) not to inform or give evidence against an associate (*or* confederate, *or* other person); *or*
- (g) not to reveal (*or* discover) an unlawful association (*or* society *or* confederacy); *or*
- (h) not to reveal (*or* discover) an illegal act done (*or* to be done) (*or* the import of) an illegal oath (*or* engagement) that may have been administered (*or* tendered to *or* taken by) himself (*or* herself *or* another person)).

SCHEDULE 3 (continued)

2. Took an oath (*or* an engagement in the nature of an oath) purporting to bind him (*or* her) [*etc. as in (1)*], he (*or* she) not being compelled to take the oath (*or* engagement).

3. Attempted to induce MN to take an oath (*or* an engagement in the nature of an oath) purporting to bind him (*or* her) [*etc. as in (1)*].

Form 11—Unlawful drilling**(Section 51. Unlawful drilling)**

1. In contravention of the directions under a regulation trained (*or* drilled) MN (*and* others) to the use of arms (*or* to the practice of military exercises (*or* movements *or* evolutions)).

2. Was present at a meeting (*or* assembly) of persons held in contravention of the directions under a regulation for the purpose of there training (*or* drilling) other persons (*or* MN *and* others) to the use of arms (*or* to the practice of military exercises (*or* movements *or* evolutions)).

3. Was present at a meeting (*or* assembly) of persons held in contravention of the directions under a regulation—

- (a) and was trained (*or* drilled) to the use of arms (*or* to the practice of military exercises (*or* movements *or* evolutions)); *or*
- (b) for the purpose of being trained (*or* drilled) to the use of arms (*or* to the practice of military exercises (*or* movements *or* evolutions)).

Form 12—Sedition (with a circumstance of aggravation)**(Section 52. Sedition)**

1. Conspired together (*or* with another person) to carry into execution a seditious enterprise.

And AB had on [*date*] at [*place*] been previously convicted of sedition.

2. Advisedly published seditious words (*or* writing).

And AB had on [*date*] at [*place*] been previously convicted of sedition.

SCHEDULE 3 (continued)

CHAPTER 8—OFFENCES AGAINST THE EXECUTIVE AND LEGISLATIVE POWER**Form 13—Interfering with the Governor (or a Minister)****(Section 54. Interference with Governor or Ministers)**

1. Advisedly [*describe the act done*] which act was calculated to interfere with the free exercise by the Governor of the duties (or authority) of his (or her) office.

2. Advisedly [*describe the act done*] which act was calculated to interfere with the free exercise by R.P, a member of the Executive Council (or a Minister of State) of the duties (or authority) of his (or her) office.

Form 14—Demands with menaces on the government (or the Governor or a government corporation or a government employee) (with circumstances of aggravation)**(Section 54A. Demands with menaces upon agencies of government)**

Demanded that [*describe thing to be done or omitted to be done or to be procured*] by—

- (a) the Government of Queensland (or EF, a person in the employment of the Crown in right of Queensland, in the performance of the duties of his (or her) employment (or in his (or her) official capacity)); or
- (b) EF, in his (or her) role as Governor; or
- (c) EF, a Minister of the Crown, in his (or her) office as Minister (or as a member of the Executive Council); or
- (d) X, a government corporation, in discharge of its functions conferred by law, [*or EF, a person in the employment of X, a government corporation, in performance of his (or her) duties of employment (or in his (or her) official capacity)*]—

SCHEDULE 3 (continued)

with threats of injury (*or* detriment) to be caused to EF (*or* X *or* GH *or* to the public *or* members of the public *or* to property) by AB (*or* MN *or* another person), if the demand was not complied with.

And the carrying out of the threat would be likely to cause—

- (a) loss of life (*or* serious personal injury) to EF (*or* GH *or* any person); *or*
- (b) substantial economic loss to the Crown (*or* to X, a government corporation, *or* in any industrial or commercial activity), (and),

(in addition, AB (*or* MN on AB's behalf) carried out the threat and caused—

- (a) loss of life (*or* serious personal injury) to EF (*or* GH *or* any person); *or*
- (b) substantial economic loss to the Crown (*or* to X, a government corporation, *or* in an industrial or commercial activity);

OR in addition, AB (*or* MN on AB's behalf) had by some overt act begun to prepare for the carrying out of the threat).

Form 15—Interfering with (a member of) the Legislature**(Section 55. Interference with the Legislature)**

1. Advisedly and by force (*or* fraud) interfered (*or* attempted to interfere) with the free exercise by the Legislative Assembly of its authority.

2. Advisedly and by force (*or* fraud) interfered (*or* attempted to interfere) with the free exercise by EF, a member of the Legislative Assembly, of his (or her) duties (*or* authority) as a member of the Legislative Assembly (*or* as a member of a committee of the Legislative Assembly).

SCHEDULE 3 (continued)

Form 16—Disturbing the Legislature**(Section 56. Disturbing the Legislature)**

1. Advisedly disturbed the Legislative Assembly while in session.
2. Advisedly committed disorderly conduct in the immediate view and presence of the Legislative Assembly, while in session, tending to interrupt its proceedings (*or* to impair the respect due to the authority) of the Assembly.

Form 17—Disturbing Parliament House (*or* the office *or* residence of the Governor *or* member of Parliament)**(Section 56A. Disturbance in House when Parliament not sitting)**

Created (*or* Joined in) a disturbance in (*or* within the precincts of) Parliament House when Parliament was not sitting, (*or* at the office (*or* residence) of the Governor (*or* MN, a member of the Legislative Assembly, *or* of the Executive Council)).

Form 18—Going armed to Parliament House**(Section 56B. Going armed to Parliament House)**

Without lawful excuse, was armed and entered (*or* was found in) (a building in *or* on) (the grounds of) Parliament House.

Form 19—Giving false evidence before Parliament**(Section 57. False evidence before Parliament)**

In the course of an examination before (a committee of) the Legislative Assembly, knowingly gave a false answer to a lawful and relevant question put to him (*or* her) in the course of the examination, namely, [*state substance of false answer*].

SCHEDULE 3 (continued)

Form 20—Refusing to attend Parliament in accordance with a summons (or refusing to produce a document before Parliament)**(Section 58. Witnesses refusing to attend or give evidence before Parliament or parliamentary committee)**

Having been summoned to attend as a witness (*or* to produce a book (*or* document *or* other thing) in his (*or* her) possession) which was relevant and proper to be produced before the Legislative Assembly (*or* before a committee of the Legislative Assembly authorised to summon witnesses (*or* to call for the production of the book (*or* other thing), refused (*or* neglected) without lawful excuse to attend in accordance with the summons (*or* to produce the book (*or* other thing)).

Form 21—Refusing to answer questions before Parliament**(Section 58. Witnesses refusing to attend or give evidence before Parliament or parliamentary committee)**

Being present before the Legislative Assembly (*or* before a committee of the Legislative Assembly authorised to summon witnesses), refused to answer a lawful and relevant question.

Form 22—Bribery as a member of Parliament**(Section 59. Member of Parliament receiving bribes)**

Being a member of the Legislative Assembly, asked for (*or* received *or* obtained *or* agreed (*or* attempted) to receive (*or* obtain)) [*state the property or benefit*] for himself (*or* herself) (*or* for another person on an understanding that his (*or* her) vote (*or* opinion *or* judgment *or* action) in (a committee of) the Legislative Assembly is to be influenced (*or* is to be given in a particular manner *or* is to be given in favour of a particular side of a question (*or* matter)).

SCHEDULE 3 (continued)

Form 23—Bribery of a member of Parliament**(Section 60. Bribery of member of Parliament)**

In order to influence MN, a member of the Legislative Assembly, in his (*or her*) vote (*or opinion or judgment or action*) on a question (*or matter*) arising in the Legislative Assembly (*or in a committee of the Legislative Assembly*) (*or In order to induce MN, a member of the Legislative Assembly to absent himself (or herself) from the Legislative Assembly (or from a committee of the Legislative Assembly))*) gave to (*or conferred on or procured for or promised (or offered) to give to (or confer on or procure (or attempt to procure) for)*) MN (*or another person*) [*state the property or benefit*].

Form 24—Corrupting a member of Parliament**(Section 60. Bribery of member of Parliament)**

Attempted by fraud [*or Attempted by threats (or intimidation)*] to influence MN, a member of the Legislative Assembly, in his (*or her*) vote (*or opinion or judgment or action*) on a question (*or matter*) arising in the Legislative Assembly (*or in a committee of the Legislative Assembly*) (*or to induce MN, a member of the Legislative Assembly to absent himself (or herself) from the Legislative Assembly (or from a committee of the Legislative Assembly))*).

**CHAPTER 9—UNLAWFUL ASSEMBLIES—
BREACHES OF THE PEACE****Form 25—Unlawful assembly****(Section 61. Definitions)****(Section 62. Punishment of unlawful assembly)**

Took part in an unlawful assembly.

SCHEDULE 3 (continued)

Form 26—Riot**(Section 61. Definitions)****(Section 63. Punishment of riot)**

Took part in a riot.

Form 27—Rioting with circumstances of aggravation**(Section 64. Rioters remaining after proclamation ordering them to disperse)**

1. Wilfully and knowingly, and by force, opposed (*or* obstructed *or* hurt) MN, a sheriff (*or* under-sheriff *or* [*state the office*]), who went to (*or* began to) make a proclamation commanding persons numbering at least 12 who were riotously assembled together to disperse, and which proclamation it was MN's duty to make, and prevented the proclamation from being made.

2. Being riotously assembled with at least 11 other persons, continued together with at least 11 other persons who did not disperse themselves within the space of an hour after the making of a proclamation commanding them to disperse.

3. Being riotously assembled with 11 other persons, and knowing that the making of a proclamation commanding them to disperse had been prevented, continued together with at least 11 other persons who did not disperse themselves within the space of an hour after the making of the proclamation had been prevented.

Form 28—Rioting with destruction**(Section 65. Rioters demolishing buildings etc.)**

And other persons, being riotously assembled together, unlawfully pulled down (*or* destroyed *or* began to pull down (*or* destroy)) [*describe the building, machinery or structure*] (*or* a bridge (*or* wagon way *or* trunk) for conveying minerals from a mine).

SCHEDULE 3 (continued)

Form 29—Rioting with damage**(Section 66. Rioters injuring building, machinery etc.)**

And other persons, being riotously assembled together, unlawfully damaged a building (*or [describe the building or property as in form 28]*).

Form 30—Going armed so as to cause fear**(Section 69. Going armed so as to cause fear)**

Without lawful occasion went armed in public in such a manner as to cause fear to EF (and GH).

Form 31—Forcible entry**(Section 70. Forcible entry)**

Entered on land which was in the actual and peaceable possession of EF in a manner likely to cause (reasonable apprehension of) a breach of the peace.

Form 32—Forcible detainer**(Section 71. Forcible detainer)**

Being in actual possession of land without colour of right, held possession of it against EF who was entitled by law to possession of it, in a manner likely to cause (reasonable apprehension of) a breach of the peace.

Form 33—Affray**(Section 72. Affray)**

Took part in a fight in a public highway (*or Took part in a fight of such a nature as to alarm the public in [state the place] to which the public had access*).

SCHEDULE 3 (continued)

Form 34—Challenge to fight a duel**(Section 73. Challenge to fight a duel)**

1. Challenged (*or* Attempted to provoke) EF to fight a duel.
2. Attempted to provoke EF to challenge GH to fight a duel.

Form 35—Prize fighting**(Section 74. Prize fight)**

1. Fought in a prize fight.
2. Subscribed to [*or* Promoted] a prize fight.

Form 36—Threatening violence (at night)**(Section 75. Threatening violence)**

1. (In the night) With intent to intimidate (*or* annoy) EF, threatened to enter (*or* damage) a dwelling (*or* premises [*describing them*]).
2. (In the night) With intent to alarm EF, discharged loaded firearms (*or* [*describe the act*]), that was likely to cause EF (*or* GH) to fear bodily harm to himself (*or* herself) (*or* GH *or* IJ) (*or* damage to property)).

Form 37—Unlawful processions (with a circumstance of aggravation)**(Section 77. Unlawful processions)**

And at least 2 other persons assembled together—

- (a) bearing (*or* wearing *or* having among them) firearms (*or* offensive weapons, namely, [*describe them*]); *or*
- (b) publicly exhibiting a banner (*or* emblem *or* flag *or* symbol) *or* banners *or* *etc.*) the displaying of which was calculated to promote animosity between Her Majesty's subjects of different religious faiths; *or*
- (c) being accompanied by music calculated to promote animosity between Her Majesty's subjects of different religious faiths—

SCHEDULE 3 (continued)

and being so assembled, joined in a parade (*or* procession) to celebrate (*or* commemorate) a festival (*or* anniversary *or* political event) relating to (*or* connected with) religious (*or* political) distinctions (*or* differences) between Her Majesty's subjects, (*or* to demonstrate religious (*or* political) distinctions (*or* differences) between Her Majesty's subjects).

And AB was himself (*or* herself) bearing (*or* wearing) firearms (*or* an offensive weapon, namely, [*describe it*]).

And AB and at least 2 others continued to be assembled and did not disperse themselves within the space of a quarter of an hour after the giving of a command to disperse by MN, a justice of the peace, (*or* [*state the office*]), which command it was his (*or* her) duty to give.

CHAPTER 10—OFFENCES AGAINST POLITICAL LIBERTY

Form 38—Interfering with political liberty (as a public officer)

(Section 78. Interfering with political liberty)

By violence [*or* By threats (*or* intimidation)] hindered (*or* interfered with) the free exercise of a political right by EF.

And AB was a public officer and committed the offence in abuse of his (*or* her) authority as a public officer.

SCHEDULE 3 (continued)

CHAPTER 11—PIRACY**Form 39—Piracy (with a circumstance of aggravation)****(Section 79. Definition of “piracy” in general)****(Section 80. Further definition of “pirates”)****(Section 81. Punishment of piracy)**

[Delete the reference to place in the formal part and continue]: Within the territorial jurisdiction of Queensland

Committed piracy.

And the crime was committed with respect to a ship, and at (*or* immediately before or immediately after) the time of committing the crime, AB—

- (a) assaulted CD who was on board the ship (*or* belonged to the ship) with intent to kill him (*or* her *or* another person); *or*
- (b) wounded CD who was on board the ship (*or* belonged to the ship); *or*
- (c) unlawfully (*describe the act*) by which the life of CD who was on board the ship (*or* belonged to the ship) was endangered.

Form 40—Attempted piracy with personal violence**(Section 82. Attempted piracy with personal violence)**

[Delete the reference to place in the formal part and continue]: Within the territorial jurisdiction of Queensland

1. Assaulted EF, who was on board (*or* belonged to) the ship [*name*] with intent to kill him (*or* her) (*or* to kill another person), and with intent to commit the crime of piracy with respect to the ship.

2. Wounded EF, who was on board (*or* belonged to) the ship [*name*] with intent to commit the crime of piracy with respect to the ship.

SCHEDULE 3 (continued)

3. Unlawfully [*describe the act*] by which the life of EF who was on board (*or* belonged to) the ship [*name*], was endangered and with intent to commit the crime of piracy with respect to the ship.

Form 41—Aiding pirates**(Section 83. Aiding pirates)**

1. Brought to EF a seducing message from MN, a pirate.
2. Consulted (*or* Conspired) with (*or* Attempted to corrupt) MN, the master (*or* an officer *or* a sailor) of the ship, [*name*] with intent that MN should run away with (*or* yield up) the ship (*or* goods (*or* merchandise)) (*or* should turn pirate *or* should go over to pirates).

**PART 3—OFFENCES AGAINST THE
ADMINISTRATION OF LAW AND JUSTICE AND
AGAINST PUBLIC AUTHORITY****CHAPTER 12—DISCLOSING OFFICIAL SECRETS****Form 42—Disclosing official secrets****(Section 85. Disclosure of official secrets)**

Being (*or* Having been) employed as [*state the public office*], unlawfully published (*or* communicated) information [*describe it*] that came to his (*or* her) knowledge (*or* a document [*describe it*] that came into his (*or* her) possession) by virtue of his (*or* her) office, and that was his (*or* her) duty to keep secret.

SCHEDULE 3 (continued)

CHAPTER 13—CORRUPTION AND ABUSE OF OFFICE**Form 43—Official corruption (by *or* of a Minister of the Crown)****(Section 87. Official corruption)**

1. Being employed in the public service [*or* Being the holder of the office of [*state the public office*] (*or* being a Minister of the Crown), and being charged by virtue of such employment (*or* office) with the duty of [*state the duty*], corruptly asked for (*or* received *or* obtained *or* agreed (*or* attempted) to receive (*or* obtain)) [*state the property or benefit*] on account of his (*or* her) having in the discharge of the duties of his (*or* her) office [*describe the act done or omitted to be done or to be done*].

2. Corruptly gave (*or* conferred *or* procured *or* promised *or* offered to give (*or* confer *or* procure *or* attempt to procure)(to (*or* on *or* for) MN, a person who was employed in the public service (*or* was the holder of the office of [*state the public office*] *or* was a Minister of the Crown), [*state the property or benefit*] on account of MN having, in the discharge of the duties of his (*or* her) office [*describe the act done or omitted to be done or to be done*].

Form 44—Extortion as a public officer**(Section 88. Extortion by public officers)**

Being employed in the public service, took (*or* accepted) from MN for the performance of his (*or* her) duty as such officer, a reward (*or* promise of a reward) beyond his (*or* her) proper pay and emoluments, namely, [*state reward or promise*].

SCHEDULE 3 (continued)

Form 45—Having an interest in contracts as a public officer**(Section 89. Public officers interested in contracts)**

Being employed in the public service in [*state the applicable public service department*], knowingly acquired (*or held*), otherwise than as a member of a registered joint stock company consisting of more than 20 persons, a private interest in a contract (*or agreement*) which had been made on account of the public service about a matter concerning the department.

Form 46—Discharging duties while having a private interest**(Section 90. Officers charged with administration of property of a special character or with special duties)**

Being employed in the public service, and being charged by virtue of his (*or her*) employment with judicial (*or administrative*) duties respecting property (*or the carrying on of a manufacture, trade, or business*) of a special character, namely [*describe it*], and having acquired (*or holding*) a private interest in the property (*or manufacture, trade or business*), discharged the duties of his (*or her*) office with respect to the property (*or manufacture, trade or business*) (*or with respect to the conduct of MN in relation to the property (or manufacture, trade or business)*) in which he (*or she*) had the interest.

Form 47—False claims as an official**(Section 91. False claims by officials)**

Being employed in the public service and required (*or enabled*) to furnish returns (*or statements*) touching the remuneration (claimed to be) payable to himself (*or herself*) (*or to MN*) (*or touching [describe the matter] required by law to be certified for a payment of money (or the delivery of particular goods) to MN*), made a return (*or statement*) touching the remuneration (*or matter*) which was to his (*or her*) knowledge false in a material particular, namely [*set out the false statement*].

SCHEDULE 3 (continued)

Form 48—Abuse of office (for gain)**(Section 92. Abuse of office)**

Being employed in the public service, did (*or* directed to be done), in abuse of the authority of his (*or* her) office of [*describe the office*], an arbitrary act, namely [*describe the act*], which act was prejudicial to the rights of EF.

And the act was done for gain.

Form 49—Corruption as a surveyor (*or* valuator)**(Section 93. Corruption of surveyor and valuator)**

1. Having been appointed under the [*state the statute*] to be a valuator for determining the compensation to be paid to MN for land compulsorily taken from him (*or* her) (*or* for injury done to land) under the authority of the statute, acted as such valuator while he (*or* she) to his (*or* her) knowledge had an interest in the land.

2. Having been appointed under the [*state the statute*] to be a valuator for determining the compensation to be paid to MN for land compulsorily taken from him (*or* her) (*or* for injury done to land) under the authority of the statute, executed unfaithfully (*or* dishonestly *or* with partiality) the duty of making a valuation of the land (*or* of the extent of the injury).

Form 50—False certificates as a public officer**(Section 94. False certificates by public officers)**

Being authorised (*or* required) by law to give a certificate touching, [*describe the nature of the matter about which the certificate is to be given, so as to show that the rights of some person might be prejudicially affected by it*], gave a certificate which was to his (*or* her) knowledge false in a material particular, namely [*set out the false statement*].

SCHEDULE 3 (continued)

Form 51—Administering extra-judicial oaths**(Section 95. Administering extra-judicial oaths)**

Administered to MN an oath (*or* Took the solemn declaration (*or* affirmation or affidavit) of MN) touching [*state the subject matter*] about which he (*or* she) had not by law any authority to do.

Form 52—Falsely assuming authority**(Section 96. False assumption of authority)**

1. Not being a justice, assumed to act as a justice.
2. Without authority, assumed to act as a person having authority by law to administer an oath (*or* to take a solemn declaration (*or* affirmation or affidavit)) (*or* to do an act of a public nature, namely [*describe it*] which could only be done by persons authorised by law to do so).
3. Represented himself (*or* herself) to be a person authorised by law to sign a document testifying to the contents of a register (*or* record) of [*describe it*] kept by lawful authority (*or* testifying to the fact that [*describe the fact or event*]) and signed such document as being so authorised when knowing he or she was not in fact so authorised.

Form 53—Personating a public officer**(Section 97. Personating public officers)**

1. Personated EF, who was employed in the public service as [*state EF's office*], on an occasion [*if necessary, identify occasion*] when EF was required by virtue of his (*or* her) employment to [*describe act to be done or place to attend*].
2. Falsely represented himself (*or* herself) to be employed in the public service as [*state the office assumed*], and assumed to [*describe act done or place to attend*] by virtue of such employment.

SCHEDULE 3 (continued)

CHAPTER 14—CORRUPT AND IMPROPER PRACTICES AT ELECTIONS**Form 54—Personation at an election****(Section 99. Personation)**

Voted (*or* attempted to vote) in the name of EF at an election.

Form 55—Double voting**(Section 100. Double voting)**

Being an elector at an election, voted (*or* attempted to vote) at the election more often than he (*or* she) was entitled to vote [*or state number of times voted*].

Form 56—Treating**(Section 101. Treating)**

1. Before (*or* During *or* After) an election, corruptly provided (*or* paid (part of) the expense of providing) food (*or* drink *or* lodging) to (*or* for) EF, on account of [*describe thing done or omitted to be done*] by EF (*or* GH), an elector at the election, in his (*or* her) capacity as an elector.

2. Being an elector at an election, corruptly received food (*or* drink *or* lodging), on account of his (*or* her) doing (*or* omitting to do) [*describe the act or omission*] at the election in his (*or* her) capacity as an elector.

SCHEDULE 3 (continued)

Form 57—Undue influence at an election**(Section 102. Undue influence)**

1. Used (*or* Threatened to use) force (*or* restraint) to EF (*or* Did (*or* Threatened to do) temporal (*or* spiritual) injury to EF) (*or* Caused (*or* Threatened to cause) detriment to EF), an elector at an election, to induce him (*or* her) to vote (*or* to refrain from voting) at the election (*or* on account of his (*or* her) having voted (*or* having refrained from voting) at the election).

2. By force or fraud, prevented (*or* obstructed) the free exercise of the franchise by EF, an elector at an election.

3. By force or fraud, compelled (*or* induced) EF, an elector at an election, to vote (*or* to refrain from voting) at the election.

Form 58—Bribery at an election**(Sections 103(a), (b), (c). Bribery)**

1. Gave (*or* Conferred *or* Procured *or* Promised (*or* Offered to give (*or* confer *or* procure *or* attempt to procure)) to (*or* on *or* for) EF [*state the property or benefit*], on account of EF (*or* GH), an elector at an election, having [*describe the thing done or omitted to be done, or to be done etc*], at the election in his (*or* her) capacity as an elector (*or* on account of EF (*or* GH) acting (*or* joining) in a procession during the election, *or* to induce EF (*or* GH) to endeavour to procure the return of OP at the election, *or* the vote of QR, an elector at the election).

2. Being an elector at an election asked for (*or* received *or* obtained *or* agreed (*or* attempted) to receive (*or* obtain)) [*state the property or benefit*] for himself (*or* herself) (*or* for OP) on account of AB having [*describe the thing done or omitted to be done, or to be done etc*] at the election in his (*or* her) capacity as an elector.

3. Asked for (*or* Received *or* Obtained *or* Agreed (*or* Attempted to receive (*or* obtain)) [*state the property or benefit*] on account of a promise made by him (*or* her), (*or* by OP), to endeavour to procure the return of AB (*or* of XY) at an election (*or* to endeavour to procure the vote of QR at an election).

SCHEDULE 3 (continued)

Form 59—Bribery at an election**(Section 103(d). Bribery)**

Advanced (*or* Paid) a sum of money, namely [*state amount*] to (*or* to the use of) XY, with the intent that it should be applied for (*or* in discharge *or* repayment of money (partly) applied for)—

- (a) giving (*or* conferring *or* procuring *or* promising (*or* offering to give (*or* confer *or* procure *or* attempt to procure)) to (*or* on *or* for) EF [*state the property or benefit*], on account of EF (*or* GH), an elector at an election, having [*describe the thing done or omitted to be done, or to be done etc*], at the election in his (*or* her) capacity as an elector [*or* on account of EF (*or* GH) acting (*or* joining) in a procession during the election, *or* to induce EF (*or* GH) to endeavour to procure the return of OP at the election, (*or* the vote of QR, an elector at the election); *or*
- (b) an elector at an election receiving (*or* obtaining *or* agreeing (*or* attempting) to receive (*or* obtain)) [*state the property or benefit*] for himself (*or* herself) (*or* for OP) on account of the elector having [*describe the thing done or omitted to be done, or to be done etc*] at the election in his (*or* her) capacity as an elector; *or*
- (c) XY receiving (*or* obtaining *or* agreeing (*or* attempting to receive (*or* obtain)) [*state the property or benefit*] on account of a promise made by him (*or* her), (*or* by OP), to endeavour to procure the return of AB (*or* of XY) at an election (*or* to endeavour to procure the vote of QR at an election).

Form 60—Bribery at an election**(Section 103(e) and (f). Bribery)**

1. Corruptly transferred property, namely, [*describe it briefly*] (*or* Corruptly paid money) to MN to enable MN to be registered as an elector, and to influence MN's vote at a future election.

SCHEDULE 3 (continued)

2. Was privy to a transfer of property, namely, [*describe it briefly*] (*or* to the payment of money) made by MN to OP to enable OP to be registered as an elector, and to influence OP's vote at a future election, and which transfer (*or* payment) was made for OP's benefit.

Form 61—Illegal practices at an election**(Section 105. Illegal practices)**

1. Being prohibited by law from voting at an election and knowing that he (*or* she) was so prohibited, voted at the election.

2. Procured EF, who was prohibited from voting at an election and whom he (*or* she) knew to be so prohibited, to vote at the election.

3. Before (*or* During) an election and to promote (*or* procure) the choice of XY, a candidate at the election, knowingly published a false statement of the withdrawal of EF, another candidate at the election.

4. Before (*or* During) an election and to affect the return of EF, a candidate at the election, knowingly published a false statement of fact respecting the personal character (*or* conduct) of EF, namely, [*set out the false statement*].

5. Being a candidate at an election, withdrew from being a candidate in consideration of a payment (*or* promise of payment).

6. Being a candidate (*or* the agent of MN, who was a candidate) at an election, corruptly procured OP, who was also a candidate at the election, to withdraw from being a candidate in consideration of a payment (*or* promise of payment).

Form 62—Election offence**(Section 106. Other illegal practices)**

1. Knowingly provided money for a payment contrary to the provisions of [*state the statute*] (*or* for replacing money which had been spent in making a payment contrary to the provisions of [*state the statute*]).

SCHEDULE 3 (continued)

2. Printed (*or* Published *or* Posted) a bill (*or* placard *or* poster) having reference to an election and which did not bear on its face the name and address of the printer and publisher.

3. Hired (*or* Used) for a committee room at an election—

- (a) part of a house licensed for the sale of fermented (*or* spirituous *or* fermented and spirituous) liquors; or
- (b) part of premises where intoxicating liquor was sold (*or* supplied) to members of a club (*or* society *or* association), and which was not a permanent political club);

that did not have a separate entrance, had direct communication with a part of the premises in which intoxicating liquor was sold and was not ordinarily let for chambers or offices or for holding public meetings or arbitrations.

4. Knowing that it was intended to be used as a committee room at an election let for that use—

- (a) part of a house licensed for the sale of fermented (*or* spirituous *or* fermented and spirituous) liquors; or
- (b) part of premises where intoxicating liquor was sold (*or* supplied) to members of a club (*or* society *or* association), and which was not a permanent political club);

that did not have a separate entrance, had direct communication with a part of the premises in which intoxicating liquor was sold and was not ordinarily let for chambers or offices or for holding public meetings or arbitrations.

Form 63—Interfering at an election**(Section 108. Interference at elections)**

1. Intruded into a polling booth in use at an election, not being lawfully entitled to be in it.

2. Wilfully interrupted (*or* obstructed *or* disturbed) proceedings at an election.

SCHEDULE 3 (continued)

Form 64—Attempting to violate ballot secrecy**(Section 109. Electors attempting to violate secrecy of ballot)**

Having received a ballot paper from ST, the presiding officer at an election—

- (a) wilfully made (*or* wrote) on the ballot paper a mark (*or* particular words (*or* figures)) not expressly authorised by law; *or*
- (b) wilfully failed to fold up his (*or* her) ballot paper in a way to conceal how he (*or* she) had voted; *or*
- (c) wilfully failed to deposit the ballot paper in the ballot box in the presence of the presiding officer.

Form 65—Attempting to violate ballot secrecy**(Section 110. Other attempts of like kind)**

1. Took (*or* Attempted to take) a ballot paper out of a polling booth in use at an election.

2. While EF, an elector at an election, was preparing his (*or* her) ballot paper in a compartment provided for the use of electors actually voting at the election, wilfully intruded into the compartment.

Form 66—Stuffing ballot boxes**(Section 111. Stuffing ballot boxes)**

Placed (*or* Was privy to placing) in a ballot box a ballot paper which had not been lawfully handed to and marked by an elector at an election.

SCHEDULE 3 (continued)

Form 67—Election offence as a presiding officer**(Section 112. Offences by presiding officers at elections)**

1. Being a presiding officer at an election and being called on to strike out from a ballot paper received by EF, an elector who was blind (*or* unable to read), the name (*or* names) of the candidate (*or* candidates) other than the candidate (*or* candidates) for whom EF said that he (*or* she) desired to vote, wilfully failed to do so in the polling booth and in the presence and sight of the persons who were then lawfully present.

2. Being a presiding officer at an election and while EF, an elector, was preparing his (*or* her) ballot paper in a compartment provided for the use of electors actually voting, wilfully allowed another person to be in the compartment.

Form 68—Giving false answers to questions at elections**(Section 113. False answers to questions at elections)**

At an election, wilfully made a false answer to a question lawfully put to him (*or* her) by MN, the presiding officer, namely, [*state the question*], and which question AB was required by law to answer.

Form 69—Making a false declaration at an election**(Section 113. False answers to questions at elections)**

At an election, being lawfully required to make a declaration as to [*state the declaration*] before voting, wilfully made a false declaration.

Form 70—Interfering with secrecy at an election**(Section 114. Interfering with secrecy at elections)**

1. At (*or* After) an election, knowingly and wilfully, and without the lawful command of a competent court or tribunal, unfastened the fold on a ballot paper, which fold had been made under the authority of the law, and within which the number of an elector was written.

SCHEDULE 3 (continued)

2. Being a person required by law to discharge duties at an election at which election voting was by ballot, attempted to ascertain (*or* discover) (*or* aided in ascertaining *or* discovering) how EF voted, if EF did not vote openly.

3. Having in the exercise of his (*or* her) office of [*describe the office*] at an election obtained (the means of) knowledge of how EF had voted, disclosed (*or* aided in disclosing) such knowledge otherwise than in answer to a question put in the course of proceedings before a competent court or tribunal.

4. Being a person required by law to discharge duties at an election, placed (*or* wrote) on a ballot paper a mark (*or* particular words (*or* figures)) not authorised by law.

Form 71—Breaking seal of packets used at an election**(Section 115. Breaking seal of packets used at elections)**

Knowingly and wilfully, and without the lawful command of a competent court or tribunal, opened (*or* broke the seal of) a sealed parcel which had been sealed up under the provisions of the laws relating to elections (*or* referendums).

Form 72—Voting when not entitled**(Section 116. Offences at elections when voting is by post)**

1. Knowing that he (*or* she) was not entitled to vote at an election at which the voting was by post, signed his (*or* her) name as a voter to a voting paper.

2. Signed the name of EF to a voting paper at an election at which the voting was by post.

3. Attested the signature of MN to a voting paper at an election at which the voting was by post, when to his (*or* her) knowledge, MN was not entitled to vote by means of such voting paper.

SCHEDULE 3 (continued)

Form 73—False claims (or statements) relating to an election**(Section 117. False claims)**

1. Made in a claim to be inserted in a list of electors a statement namely, [*set out statement*] which was to his (or her) knowledge false in a material particular.

2. Made to (*state the court or tribunal having appropriate jurisdiction*), a written (or oral) statement [*set out statement*] relating to his (or her) qualification (or the qualification of MN) as an elector, which was to his (or her) knowledge, false in a material particular.

CHAPTER 15—SELLING AND TRAFFICKING IN OFFICES**Form 74—Bargaining for an office in the public service****(Section 118. Bargaining for offices in public service)**

1. Corruptly asked for (or received *or* obtained *or* agreed (*or* attempted) to receive (*or* obtain)) [*state the property or benefit*] for himself or herself (*or* CD), on account of his or her (*or* CD) having [*describe the thing done, or omitted to be done, or to be done etc*], with regard to the (contemplated) appointment of MN to an office or employment (*or* the application for employment by MN) in the public service.

2. Corruptly gave (*or* conferred *or* procured *or* promised *or* offered to give (*or* confer *or* procure *or* attempt to procure)) to (*or* on *or* for) CD [*state the property or benefit*] on account of CD having [*describe the thing done, or omitted to be done, or to be done etc*], with regard to the (contemplated) appointment of MN to an office or employment (*or* the application for employment by MN) in the public service.

SCHEDULE 3 (continued)

**CHAPTER 16—OFFENCES RELATING TO THE
ADMINISTRATION OF JUSTICE****Form 75—Judicial corruption****(Section 120. Judicial corruption)**

1. Being the holder of a judicial office, namely [*describe it*], corruptly asked for (*or received or obtained or agreed (or attempted) to receive (or obtain)*) [*state the property or benefit*], for himself (*or herself*) (*or for QR*), on account of having, in his (*or her*) judicial capacity [*describe the thing done or omitted to be done, or to be done etc*].

2. Corruptly gave (*or conferred or procured or promised or offered to give (or confer or procure or attempt to procure)*) to (*or on or for*) MN, the holder of a judicial office, namely [*describe it*], [*state the property or benefit*], on account of MN having, in his (*or her*) judicial capacity [*describe the thing done or omitted to be done, or to be done etc*].

3. Corruptly gave (*or conferred or procured or promised or offered to give (or confer or procure or attempt to procure)*) to (*or on or for*) GH, [*state the property or benefit*], on account of MN, the holder of a judicial office, having, in his (*or her*) judicial capacity [*describe the thing done or omitted to be done, or to be done etc*].

Form 76—Official corruption in the administration of justice**(Section 121. Official corruption not judicial but relating to offences)**

1. Being a justice not acting judicially (*or Being a person employed in the public service as [*state capacity*], in which capacity he (*or she*) was concerned in the prosecution (*or detention or punishment*) of offenders), corruptly asked for (*or received or obtained or agreed (or attempted) to receive (or obtain)*) [*state the property or benefit*] for himself (*or herself or for GH*), on account of his (*or her*), having [*describe the thing done or omitted to be done, or to be done etc*], to corruptly (*or improperly*) interfere with the administration of justice (*or to procure (or facilitate) the commission of an offence, or to protect an offender (or intending offender) from detection (or punishment)*)).*

SCHEDULE 3 (continued)

2. Corruptly gave (*or conferred or procured or promised (or offered) to give (or confer or procure or attempt to procure)*) to (*or on or for*) MN, a justice not acting judicially (*or a person employed in the public service as [state capacity]*), in which capacity he (*or she*) was concerned in the prosecution (*or detention or punishment*) of offenders) on account of MN having [*describe the thing done or omitted to be done, or to be done etc*], to corruptly (*or improperly*) interfere with the administration of justice (*or to procure (or facilitate) the commission of an offence, or to protect an offender (or intending offender) from detection (or punishment)*).

3. Corruptly gave (*or conferred or procured or promised (or offered) to give (or confer or procure or attempt to procure)*) to (*or on or for*) GH, [*state the property or benefit*], on account of MN, a justice not acting judicially (*or a person employed in the public service as [state capacity]*), in which capacity he (*or she*) was concerned in the prosecution (*or detention or punishment*) of offenders), having [*describe the thing done or omitted to be done, or to be done etc*], to corruptly (*or improperly*) interfere with the administration of justice (*or to procure (or facilitate) the commission of an offence, or to protect an offender (or intending offender) from detection (or punishment)*).

Form 77—Corrupting (*or threatening*) a juror**(Section 122. Corrupting or threatening jurors)**

1. Attempted by threats (*or by intimidation or by [describe the benefit or promise, or other corrupt means]*) to influence EF, a juror (*or a person to be sworn as a juror*) in EF's conduct as a juror, in a judicial proceeding, namely [*describe the judicial proceeding*].

2. Threatened to injure (*or to cause [describe detriment]*) to EF on account of EF having, as a juror [*describe thing done*] in a judicial proceeding, namely [*describe the judicial proceeding*].

3. Accepted [*describe the benefit or promise*] on account of his (*or her*), as a juror (*or a person to be sworn as a juror*) [*describe thing done or to be done*] in a judicial proceeding, namely [*describe the judicial proceeding*].

SCHEDULE 3 (continued)

Form 78—Perjury (with a circumstance of aggravation)**(Section 123. Perjury)****(Section 123A. Perjury—contradictory statements)****(Section 124. Punishment of perjury)**

1. In (*or* For the purpose of instituting) a judicial proceeding, namely [*describe it*], knowingly gave false testimony to the effect that [*set out the false testimony*], and the false testimony touched a matter which was material to a question then depending (*or* intended to be raised) in the proceeding.

And AB committed the crime in order to procure the conviction of EF for a crime punishable with imprisonment for life.

2. In [*or* For the purpose of instituting] a judicial proceeding, namely [*describe it*], made 2 statements, one of which is irreconcilably in conflict with the other, and made one of the statements knowing it to be false and the false testimony touched a matter which was material to a question then depending (*or* intended to be raised) in the proceeding.

And AB committed the crime in order to procure the conviction of EF for a crime punishable with imprisonment for life.

Form 79—Fabricating evidence**(Section 126. Fabricating evidence)**

1. With intent to mislead [*state the tribunal*] in a judicial proceeding, namely [*describe it*], fabricated evidence, namely [*describe it*].

2. With intent to mislead [*state the tribunal*] in a judicial proceeding, namely [*describe it*], knowingly made use of fabricated evidence, namely [*describe it*].

SCHEDULE 3 (continued)

Form 80—Corrupting a witness**(Section 127. Corruption of witnesses)**

1. Gave (or Conferred or Procured or Promised or Offered to give (or confer or procure or attempt to procure)) to (or on or for) MN, [*state the property or benefit*], on an agreement (or understanding) that MN (or OP) who had been called (or who was to be called) as a witness in a judicial proceeding, namely [*describe it*], should give false testimony (or should withhold true testimony).

2. Attempted by [*describe the way*] to induce EF, who had been called (or who was to be called) as a witness in a judicial proceeding, namely [*describe it*] to give false testimony (or to withhold true testimony).

3. Asked (or Received or Obtained or Agreed (or Attempted) to receive (or obtain)) [*state the property or benefit*] for himself (or herself) (or for GH), on an agreement (or understanding) that he (or she) (or GH or IJ) should give false testimony (or should withhold true testimony) as a witness in a judicial proceeding, namely [*describe it*].

Form 81—Deceiving a witness**(Section 128. Deceiving witnesses)**

Knowingly made (or exhibited) a false statement (or representation, token or writing) (or practised fraud (or deceit), [*describe it*]) to EF, who had been called (or was to be called) as a witness in a judicial proceeding, namely [*describe it*], with intent to affect the testimony of EF as a witness.

Form 82—Destroying evidence**(Section 129. Destroying evidence)**

Knowing that [*describe the book, document or thing*], was (or might) be required in evidence in a judicial proceeding, namely [*describe it*], wilfully destroyed it (or wilfully rendered it illegible (or undecipherable or incapable of identification)), with intent to prevent it from being used in evidence.

SCHEDULE 3 (continued)

Form 83—Preventing a witness from attending**(Section 130. Preventing witnesses from attending)**

Wilfully prevented (*or* attempted to prevent) EF, who had been summoned to attend as a witness before the [*state the court or tribunal*], from attending as a witness (*or* from producing in evidence in accordance with his (*or* her) subpoena (*or* summons) [*describe thing to be produced*]).

Form 84—Conspiracy to bring false accusation (with a circumstance of aggravation)**(Section 131. Conspiracy to bring false accusation)**

Conspired together (*or* with another person) to charge EF (*or* to cause EF to be charged) with the offence of [*state offence e.g. by using the schedule form heading*], alleged to have been committed in [*place*], knowing that EF was innocent of the alleged offence [(*or* not believing that EF was guilty of the alleged offence)].

And the alleged offence was such that a person convicted of it was liable to be sentenced to imprisonment (for life).

Form 85—Conspiracy to defeat justice**(Section 132. Conspiracy to defeat justice)**

Conspired together (*or* with another person) to obstruct (*or* prevent *or* pervert *or* defeat) the course of justice by [*describe how*].

SCHEDULE 3 (continued)

**Form 86—Compounding a crime (with a circumstance of aggravation)
(Section 133. Compounding crimes)**

Asked for (*or* Received *or* Obtained *or* Agreed (*or* Attempted) to receive (*or* obtain) [*state the property or benefit*] for himself (*or* herself) (*or* MN) on an agreement (*or* understanding) that he (*or* she), would compound (*or* conceal) (*or* abstain from *or* discontinue *or* delay the prosecution of) the crime of [*state offence e.g. by using the schedule form heading*] (*or* would withhold evidence of the crime of [*state offence e.g. by using the schedule form heading*]).

And the crime was such that a person convicted of it was liable to be sentenced to imprisonment for life.

**Form 87—Compounding a penal action
(Section 134. Compounding penal actions)**

Having brought an action (*or* Under pretence of bringing an action) in the [*state the court*] against MN on [*describe the statute by its short title*] to obtain from him (*or* her) a penalty for an offence committed (*or* alleged to have been committed) by MN, compounded the action (*or* pretended action) without the order or consent of the court.

**Form 88—Advertising a reward for the return of stolen property
(Section 135. Advertising a reward for the return of stolen property etc.)**

1. Publicly offered a reward for the return of [*state the property*] which had been stolen (*or* lost), and in the offer purported that no questions would be asked (*or* that the person producing the property would not be seized or molested).

2. Publicly offered to return to a person who might have bought [*or* advanced money by way of loan on] [*state the property*], which had been stolen (*or* lost), the money so paid (*or* advanced) (*or* a sum of money (*or* a reward) for the return of the property).

SCHEDULE 3 (continued)

3. Printed (or Published) an offer of a reward for the return of [*state the property*] which had been stolen (or lost), and in the offer purported that no questions would be asked (or that the person producing the property would not be seized or molested).

4. Printed (or Published) an offer to return to a person who might have bought (or advanced money by way of loan on) [*state the property*], which had been stolen (or lost), the money so paid (or advanced) (or a sum of money (or a reward) for the return of the property).

Form 89—Acting oppressively as a justice**(Section 136. Justices acting oppressively or when interested)**

Being a justice, and being required (or authorised) by law to admit EF, who was an accused person, to bail, without reasonable excuse and in abuse of his (or her) office, required excessive and unreasonable bail.

Form 90—Acting as a justice with a personal interest**(Section 136. Justices acting oppressively or when interested)**

Being a justice, wilfully and perversely exercised jurisdiction as a justice in a matter in which he (or she) had a personal interest, namely, [*describe the interest*].

Form 91—Delaying to take person arrested before a Magistrate**(Section 137. Delay to take person arrested before Magistrate)**

Having arrested EF on a charge of an offence, wilfully delayed to take him (or her) before a justice to be dealt with according to law.

SCHEDULE 3 (continued)

Form 92—Bringing a fictitious action on a penal statute**(Section 138. Bringing fictitious action on penal statute)**

Brought in the name of XY, a fictitious person, as plaintiff (*or* in the name of XY as plaintiff, but without his (*or* her) authority), an action in the [*state the court*] against EF on [*describe the statute by its short title*] for the recovery of a penalty for an offence committed (*or* alleged to have been committed) by EF.

Form 93—Inserting advertisement without authority of court**(Section 139. Inserting advertisement without authority of court)**

1. Inserted without authority (*or* Without authority caused to be inserted) in the gazette (*or* in a newspaper called [*state its name*]) an advertisement purporting to be published under the authority of the [*state the court*].

2. Inserted (*or* Caused to be inserted) in the gazette (*or* in a newspaper called [*state its name*]) an advertisement purporting to be published under the authority of the [*state the court*], knowing it to be false in a material particular, namely, [*set out false statement*].

Form 94—Attempting to pervert justice**(Section 140. Attempting to pervert justice)**

Attempted by [*describe how*] to obstruct (*or* prevent, pervert, *or* defeat) the course of justice.

CHAPTER 17—ESCAPES—OBSTRUCTING OFFICERS OF COURTS**Form 95—Aiding a person to escape from lawful custody****(Section 141. Aiding persons to escape from lawful custody)**

1. Aided MN, who was in lawful custody, to escape (*or* attempt to escape) from lawful custody.

SCHEDULE 3 (continued)

2. Conveyed [*state thing conveyed*] to MN, a person in lawful custody, (*or* to a place where MN was *or* was to be in lawful custody) with the intention of aiding MN to escape from lawful custody.

3. Freed MN from lawful custody without authority.

Form 96—Escaping from lawful custody**(Section 142. Escape by persons in lawful custody)**

Escaped from lawful custody.

Form 97—Permitting escape**(Section 143. Permitting escape)**

Being responsible for keeping MN in lawful custody, permitted MN to escape.

Form 98—Harbouring an escaped prisoner**(Section 144. Harbouring escaped prisoners etc.)**

Harboured (*or* Maintained *or* Employed) MN, knowing that MN had escaped from lawful custody.

Form 99—Rescuing a patient held under the Mental Health Act 1974**(Section 146. Rescuing patients under Mental Health Act 1974)**

1. Rescued MN while he (*or* she) was being conveyed as a patient under the *Mental Health Act 1974* to (*or* Rescued MN during his [(*or* her) confinement as a patient in) a psychiatric hospital (*or* a prison).

2. Being in charge of MN while he (*or* she) was being conveyed as a patient under the *Mental Health Act 1974* to a psychiatric hospital (*or* a prison), wilfully permitted him (*or* her) to escape from custody.

3. Being a superintendent of (*or* a person employed in) a psychiatric hospital (*or* a prison), wilfully permitted MN, who was confined there as a patient under the *Mental Health Act 1974*, to escape.

SCHEDULE 3 (continued)

4. Concealed MN, who had to the knowledge of AB been rescued (*or* escaped) while MN was being conveyed as a patient under the *Mental Health Act 1974* to (*or* during MN's confinement as a patient in) a psychiatric hospital (*or* a prison).

Form 100—Removing property under lawful seizure**(Section 147. Removing etc. property under lawful seizure)**

Knowingly, and with intent to hinder (*or* defeat) the attachment (*or* process), received (*or* removed, retained, concealed, *or* disposed of) [*describe the property*], which had been attached by (*or* taken under process or authority of) [*state the court or justice*].

Form 101—Obstructing a court officer**(Section 148. Obstructing officers of courts of justice)**

Wilfully obstructed (*or* resisted) EF, who was lawfully charged with the execution of an order (*or* warrant) of [*state the court*].

**CHAPTER 20—MISCELLANEOUS OFFENCES
AGAINST PUBLIC AUTHORITY****Form 102—Making a false statement**

(Section 193. False statements in statements required to be under oath or solemn declaration)

SCHEDULE 3 (continued)

(Section 195A. Contradictory statements—false statements or declarations)

1. Being required by law to make a statement on oath [*or describe the sanction substituted for an oath*] (*or* verified by solemn declaration (*or* affirmation)), made a statement touching [*describe the matter*], which to his (*or* her) knowledge was false in a material particular, namely [*set out false statement*] and verified the statement on oath (*or* under the sanction *or* by solemn declaration *or* affirmation).

2. Being required by law to make a statement on oath [*or describe the sanction substituted for an oath*] (*or* verified by solemn declaration (*or* affirmation)) made 2 statements, 1 of which is irreconcilably in conflict with the other, and made 1 of the statements knowing it to be false in a material particular, and verified the statement on oath (*or* under sanction *or* by solemn declaration *or* affirmation).

Form 103—Making a false declaration**(Section 194. False declarations)****(Section 195A. Contradictory statements—false statements or declarations)**

1. Made a declaration before MN, who was authorised by law to take (*or* receive) declarations, knowing that the declaration was false in a material particular, namely [*set out false statement*].

2. Made 2 declarations before MN [*or* made one declaration before MN and another declaration before XY], who was (were) authorised by law to take (*or* receive) declarations, 1 of which is irreconcilably in conflict with the other, and made 1 of the declarations knowing it to be false in a material particular.

SCHEDULE 3 (continued)

Form 104—Resisting a public officer**(Section 199. Resisting public officers)**

1. Obstructed (*or* Resisted) EF, a public officer, while he (*or* she) was engaged in the (attempted) discharge of the duties of his (*or* her) office as [*state the office*] under [*state the statute*].

2. Obstructed (*or* Resisted) EF, while he (*or* she) was engaged in the (attempted) discharge of the duty of [*state the duty*], which was imposed on him (*or* her) by [*state the statute*].

Form 105—Refusing to perform duty as a public officer**(Section 200. Refusal by public officer to perform duty)**

Was employed in the public service (*or* as an officer of [*state the court or tribunal*]) and perversely and without lawful excuse omitted (*or* refused) to [*state act*], which by virtue of his (*or* her) employment, it was his (*or* her) duty to do.

Form 106—Neglecting to suppress a riot**(Section 201. Neglect of officers to suppress riot)**

Being sheriff (*or* under sheriff) (*or* a justice (*or* [*state the office*])), and having notice that there was a riot in his (*or* her) neighbourhood, omitted without reasonable excuse to do his (*or* her) duty in suppressing the riot.

Form 107—Neglecting to aid in suppressing a riot**(Section 202. Neglect to aid in suppressing riot)**

Having had reasonable notice that he (*or* she) was required to assist PP, sheriff (*or* under sheriff) (*or* ST, a justice (*or* [*state the office*])), in suppressing a riot, omitted without reasonable excuse to give the assistance.

SCHEDULE 3 (continued)

Form 108—Neglecting to aid in arresting an offender**(Section 203. Neglect to aid in arresting offenders)**

Having had reasonable notice that he (or she) was required to assist PP, sheriff (*or* under sheriff) (*or* ST, a police officer (*or* [*state the office*])), in arresting MN (*or* in preserving the peace), omitted without reasonable excuse to give the assistance.

Form 109—Disobeying [*state the statute*]**(Section 204. Disobedience to statute law)**

1. Without lawful excuse [*describe the act done*], contrary to the provisions of [*state the statute*].

2. Without lawful excuse omitted to [*describe the omitted act*], as by the provisions of [*state the statute*] he (*or* she) was required to do.

Form 110—Disobeying a lawful order of a statutory authority**(Section 205. Disobedience to lawful order issued by statutory authority)**

Without lawful excuse, disobeyed a lawful order issued by [*state the court or person authorised to make the order*], namely [*describe the substance of the order*].

SCHEDULE 3 (continued)

PART 4—ACTS INJURIOUS TO THE PUBLIC IN GENERAL**CHAPTER 21—OFFENCES RELATING TO RELIGIOUS WORSHIP****Form 111—Offering violence to an officiating minister of religion****(Section 206. Offering violence to officiating ministers of religion)**

1. By threats (*or force*) prevented (*or attempted to prevent*) EF, a minister of religion, from lawfully officiating in a place of religious worship (*or from performing his (or her) duty in the lawful burial of the dead in a cemetery [or describe the other burial place]*).

2. By threats (*or force*) obstructed (*or attempted to obstruct*) EF, a minister of religion, while he (*or she*) was lawfully officiating in a place of religious worship [*or while he (or she) was performing his (or her) duty in the lawful burial of the dead in a cemetery [or describe the other burial place]*).

3. Assaulted (*or Arrested, under the pretence of executing civil process*), EF, a minister of religion—

- (i) who was then engaged (*or to his knowledge was about to engage*) in lawfully officiating in a place of religious worship (*or in performing his (or her) duty in the lawful burial of the dead in a cemetery [or describe the other burial place]*); *or*
- (ii) who was, to his knowledge, going to lawfully officiate in a place of religious worship (*or going to perform his (or her) duty in the lawful burial of the dead in a cemetery [or describe the other burial place]*); *or*
- (iii) who was returning from lawfully officiating in a place of religious worship (*or returning from performing his (or her) duty in the lawful burial of the dead in a cemetery [or describe the other burial place]*).

SCHEDULE 3 (continued)

Form 112—Disturbing religious worship**(Section 207. Disturbing religious worship)**

1. Wilfully and without lawful justification or excuse disquieted (*or* disturbed) a meeting of persons lawfully assembled for religious worship.

2. Wilfully and without lawful justification or excuse assaulted EF while he (*or* she) was lawfully officiating at (*or* assaulted EF one of the persons assembled at) a meeting of persons lawfully assembled for religious worship.

CHAPTER 22—OFFENCES AGAINST MORALITY**Form 113—(Attempted) sodomy (of a child under 12, of a lineal descendant, of a child or intellectually impaired person under care, *or* as a guardian)****(Section 208. Unlawful sodomy)****(Section 209. Attempted sodomy)**

1. Sodomised (*or* attempted to sodomise) EF, a person under 18 years (*or* an intellectually impaired person).

And EF was a child under 12 years.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant (*or* under his (*or* her) guardianship (*or* care)).

2. Permitted (*or* attempted to permit) EF, a male person under 18 years (*or* an intellectually impaired person), to sodomise him (*or* her).

And EF was a child under 12 years.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant (*or* under his (*or* her) guardianship (*or* care)).

SCHEDULE 3 (continued)

Form 114—Indecent treatment of a child under 16 (under 12, who is a lineal descendant, under care, or as a guardian)**(Section 210. Indecent treatment of children under 16)**

1. Unlawfully and indecently dealt with EF, a child under 16 years.

And EF was under 12 years.

And EF was, to the knowledge of AB, his (*or her*) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or her*) care, for the time being.

2. Unlawfully procured EF, a child under 16 years, to commit an indecent act.

And EF was under 12 years.

And EF was, to the knowledge of AB, his (*or her*) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or her*) care.

3. Unlawfully permitted himself (*or herself*) to be indecently dealt with by EF, a child under 16 years.

And EF was under 12 years.

And EF was, to the knowledge of AB, his (*or her*) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or her*) care.

4. Wilfully and unlawfully exposed EF, a child under 16 years, to an indecent act by AB (*or GH or another person*).

And EF was under 12 years.

And EF was, to the knowledge of AB, his (*or her*) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or her*) care.

SCHEDULE 3 (continued)

5. Without legitimate reason, wilfully exposed EF, a child under 16 years, to an indecent object (*or* indecent film, videotape, audiotape, picture, photograph, *or* printed *or* written matter).

And EF was under 12 years.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

6. Without legitimate reason, took an indecent photograph (*or* recorded an indecent visual image) of EF, a child under 16 years.

And EF was under 12 years.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

Form 115—Bestiality**(Section 211. Bestiality)**

Had carnal knowledge with (*or* of) an animal, namely [*describe*].

Form 116—Permitting abuse of a child under 18 (under 16 or 12) on premises**(Section 213. Owner etc. permitting abuse of children on premises)**

1. Being the owner (*or* occupier) of premises (*or* having (*or* acting in *or* assisting in) the management (*or* control) of premises), induced (*or* knowingly permitted) EF, a child under 18 years, to be in (*or* on) the premises for the purposes of a person sodomising the child (*or* permitting a child to sodomise a person).

And EF was under 12 years.

SCHEDULE 3 (continued)

2. Being the owner (*or* occupier) of premises (*or* having (*or* acting in *or* assisting in) the management (*or* control) of premises), induced (*or* knowingly permitted) EF, a girl under 16 years, to be in (*or* on) the premises for the purposes of a person having (*or* attempting to have) unlawful carnal knowledge of her.

And EF was under 12 years.

3. Being the owner (*or* occupier) of premises (*or* having (*or* acting in *or* assisting in) the management (*or* control) of premises), induced (*or* knowingly permitted) EF, a child under 16 years, to be in (*or* on) the premises for the purposes of a person unlawfully and indecently dealing with the child, (*or* [*describe the offence in section 210*]).

And EF was under 12 years.

Form 117—(Attempted) carnal knowledge of a girl under 16 (under 12, under care *or* as a guardian)

(Section 215. Carnal knowledge of girls under 16)

Had (*or* attempted to have) unlawful carnal knowledge of EF, a girl under 16 years.

And EF was under 12 years.

And AB was the guardian of EF.

And AB had EF under his care.

Form 118—(Attempted) carnal knowledge of an intellectually impaired person (under care *or* as a guardian)

(Section 216. Abuse of intellectually impaired persons)

Had (*or* attempted to have) unlawful carnal knowledge of EF, an intellectually impaired person.

And AB was the guardian of EF.

And AB had EF under his care.

SCHEDULE 3 (continued)

**Form 119—Indecent dealing with an intellectually impaired person
(who is a lineal descendant, under care, *or* as a guardian)****(Section 216. Abuse of intellectually impaired persons)**

1. Unlawfully and indecently dealt with EF, an intellectually impaired person.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

2. Unlawfully procured EF, an intellectually impaired person, to commit an indecent act.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

3. Unlawfully permitted himself (*or* herself) to be indecently dealt with by EF, an intellectually impaired person.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

4. Wilfully and unlawfully exposed EF, an intellectually impaired person, to an indecent act by AB (*or* GH *or* another person).

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

SCHEDULE 3 (continued)

5. Without legitimate reason, wilfully exposed EF, an intellectually impaired person, to an indecent object (*or* indecent film, videotape, audiotape, picture, photograph, *or* printed *or* written matter).

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

6. Without legitimate reason, took an indecent photograph (*or* recorded an indecent visual image) of EF, an intellectually impaired person.

And EF was, to the knowledge of AB, his (*or* her) lineal descendant.

And AB was the guardian of EF.

And AB had EF under his (*or* her) care.

Form 120—Procuring a young person (or an intellectually impaired person) for carnal knowledge

(Section 217. Procuring young person etc. for carnal knowledge)

Procured EF, who was not an adult, (*or* who was an intellectually impaired person) to engage in carnal knowledge.

Form 121—Procuring a sexual act by coercion (by false pretences, by administering a drug)

(Section 218. Procuring sexual acts by coercion etc.)

1. By threats (*or* intimidation) procured EF to engage in a sexual act.

2. By a false pretence procured EF, to engage in a sexual act.

3. Administered a drug to EF (*or* Caused EF to take a drug) with intent to stupefy (*or* overpower) him (*or* her), to enable a sexual act to be engaged in with EF.

SCHEDULE 3 (continued)

Form 122—Taking a child under 18 (under 16, under 12) for immoral purposes**(Section 219. Taking child for immoral purposes)**

1. Took (*or* enticed away *or* detained) EF, a child under 18 years (*and* who was not his (*or* her) spouse), for the purpose of a person sodomising the child.

And EF was under 12 years.

2. Took (*or* enticed away *or* detained) EF, a girl under 16 years, (*and* who was not his spouse), for the purpose of a person having (*or* attempting to have) unlawful carnal knowledge of her.

And EF was under 12 years.

3. Took (*or* enticed away *or* detained) EF, a child under 16 years, (*and* who was not his (*or* her) spouse), for the purpose of a person unlawfully and indecently dealing with the child, (*or* [*describe the offence in section 210*]).

And EF was under 12 years.

Form 123—Conspiracy to defile**(Section 221. Conspiracy to defile)**

Conspired together (*or* with another person) to induce EF, by false pretences (*or* fraudulent means) to permit a person to have unlawful carnal knowledge with (*or* of) him (*or* her).

Form 124—Incest**(Section 222. Incest)**

Had (*or* attempted to have) carnal knowledge with (*or* of) EF, knowing that EF was his (*or* her) offspring (*or* lineal descendant, sibling, parent, *or etc*) [*or* knowing that EF bore a relationship of [*describe the type of relationship*] to him (*or* her)].

SCHEDULE 3 (continued)

Form 125—Attempting to procure an abortion**(Section 224. Attempts to procure abortion)**

Unlawfully administered poison (*or* a noxious thing) to EF (*or* Unlawfully caused EF to take poison (*or* a noxious thing) *or* Unlawfully used force (*or* [*describe other means*]) to EF), with intent to procure her miscarriage.

Form 126—Attempting to procure own abortion**(Section 225. The like by women with child)**

Unlawfully administered to herself poison (*or* a noxious thing), [(*or* Unlawfully used force (*or* [*describe other means*]) to herself) (*or* Unlawfully permitted poison (*or* force, *or etc*) to be administered (*or* used) to her), with intent to procure her own miscarriage.

Form 127—Supplying drugs (or instruments) to procure an abortion**(Section 226. Supplying drugs or instruments to procure abortion)**

Unlawfully supplied to (*or* procured for) EF [*describe the thing*] knowing that it was intended to be unlawfully used to procure the miscarriage of a woman (*or* her own miscarriage).

Form 128—Doing an indecent act**(Section 227. Indecent acts)**

1. Wilfully and without lawful excuse did an indecent act in a place to which the public were permitted to have access.
2. Wilfully did an indecent act with intent to insult (*or* offend) EF.

SCHEDULE 3 (continued)

Form 129—Selling (or exposing) an obscene publication (with a circumstance of aggravation)**(Section 228. Obscene publications and exhibitions)**

1. Knowingly, and without lawful justification or excuse, publicly sold (or exposed for sale) an obscene book (or an obscene [*describe the printed or written matter*], or picture or photograph or drawing or model) (or [*describe the object*] tending to corrupt morals).

And the book (or matter or thing) depicted a person who was (or was represented to be) a child under 16 (or 12) years.

2. Knowingly, and without lawful justification or excuse, exposed to view in a place to which the public were permitted to have access an obscene picture (or photograph or drawing or model) (or [*describe the object*] tending to corrupt morals).

And the picture (or thing) depicted a person who was (or was represented to be) a child under 16 (or 12) years.

Form 130—Publicly exhibiting an obscene performance (with a circumstance of aggravation)**(Section 228. Obscene publications and exhibitions)**

Knowingly, and without lawful justification or excuse, publicly exhibited an indecent show (or performance).

And a person appearing in the indecent show (or performance) was (or was represented to be) a child under 16 (or 12) years.

Form 131—Maintaining a sexual relationship with a child (with a circumstance of aggravation)**(Section 229B. Maintaining a sexual relationship with a child)**

Being an adult, maintained an unlawful relationship of a sexual nature with EF, a child under 16 (or 18) years.

And in the course of the relationship AB [*describe offence e.g. by using the schedule form*].

SCHEDULE 3 (continued)

CHAPTER 22A—PROSTITUTION**Form 132—Procuring prostitution (of a young person, of an intellectually impaired person)****(Section 229G. Procuring prostitution)**

1. Procured EF to engage in prostitution.
2. Procured EF to leave Queensland for the purpose of engaging in prostitution in [*place*] [(or to come to Queensland for the purpose of engaging in prostitution) (*or* to leave his (*or* her) usual place of residence in Queensland for the purpose of engaging in prostitution).

And EF was not an adult (*or* was an intellectually impaired person).

Form 133—Knowingly participating in provision of prostitution (with a circumstance of aggravation)**(Section 229H. Knowingly participating in provision of prostitution)**

Knowingly participated in the provision of prostitution by MN.

And AB had on [*date*] at [*place*] been previously convicted of [*set out substance and effect of previous conviction*].

And EF (*or* MN), who was not an adult (*or* who was an intellectually impaired person), was, to the knowledge of AB, engaged in the provision of the prostitution.

Form 134—Being found in a place reasonably suspected of being used for prostitution (with a circumstance of aggravation)**(Section 229I. Persons found in places reasonably suspected of being used for prostitution etc.)**

Without reasonable excuse, was found in (*or* leaving after having been in) a place suspected on reasonable grounds of being used for prostitution by 2 (or more) prostitutes.

SCHEDULE 3 (continued)

And AB had on [date] at [place] been previously convicted of [set out substance and effect of previous conviction].

And EF, who was not an adult (or who was an intellectually impaired person), was, to the knowledge of AB, in the place at the time of the offence.

Form 135—Having an interest in premises used for prostitution (with circumstances of aggravation)**(Section 229K. Having an interest in premises used for the purposes of prostitution etc.)**

Being an interested person in relation to premises, knowingly allowed the premises to be used for prostitution by 2 (or more) prostitutes.

And AB had on (date) at (place) been previously convicted of (set out substance and effect of previous conviction).

And EF, who was not an adult (or who was an intellectually impaired person), was, to the knowledge of AB, in the premises at the time of the offence.

Form 136—Failing to leave premises after notice**(Section 229K. Having an interest in premises used for the purposes of prostitution etc.)**

Being an occupier (or user) of premises and having been served with a written notice from an interested person in relation to the premises, requiring him (or her) to leave the premises not later than 7 days after service of the notice and not return, contravened a requirement of the notice without reasonable excuse.

SCHEDULE 3 (continued)

Form 137—Permitting young person (or an intellectually impaired person) to be at a place used for prostitution**(Section 229L. Permitting young person etc. to be at a place used for prostitution)**

Knowingly caused (*or* permitted) EF, who was not an adult (*or* who was an intellectually impaired person), to be at a place used for prostitution by 2 (*or* more) prostitutes.

Form 138—Failing to give identification details to a police officer**(Section 229M. Police officer may require person to provide name and address etc.)**

1. Without reasonable excuse, failed to state his (*or* her) name and address (*or* age), when required to do so by OP, a police officer, under section 229M of the Criminal Code.

2. Stated a false name (*or* address *or* age), when required to state his (*or* her) name and address (*or* age) by OP, a police officer, under section 229M of the Criminal Code.

3. Without reasonable excuse, failed to give evidence of the correctness of his (*or* her) name (*or* address *or* age), when required to do so by OP, a police officer, under section 229M of the Criminal Code.

4. Gave false evidence of the correctness of his (*or* her) name (*or* address *or* age), when required to give evidence of the correctness of his (*or* her) name (*or* address *or* age) by OP, a police officer, under section 229M of the Criminal Code.

SCHEDULE 3 (continued)

**CHAPTER 23—NUISANCES—MISCONDUCT
RELATING TO CORPSES****Form 139—Common nuisance****(Section 230. Common nuisances)**

1. Without lawful justification or excuse [*state the act done*] (*or* omitted to [*state act to be done*]) with respect to [*describe property*] under his (*or* her) control whereby danger was caused to the lives (*or* safety *or* health) of the public.

2. Without lawful justification or excuse [*state the act done*] (*or* omitted to [*state act to be done*]) with respect to [*describe property*] under his (*or* her) control, whereby danger was caused to the property (*or* comfort) of the public (*or* the public were obstructed in the exercise (*or* enjoyment) of a common right namely, [*describe*]) and by which injury was caused to the person of EF.

Form 140—Keeping a gaming house**(Section 232. Gaming houses)**

Kept a common gaming house.

Form 141—Keeping a betting house**(Section 233. Betting houses)**

1. Opened (*or* Kept *or* Used) a common betting house.
2. Being the owner (*or* occupier) of a house (*or* room *or* place) knowingly and wilfully permitted it to be opened (*or* kept *or* used) as a common betting house by MN.
3. Had the use (or management) (*or* Assisted in conducting the business) of a common betting house.

SCHEDULE 3 (continued)

Form 142—Keeping a lottery**(Section 234. Lotteries)**

1. Opened (*or kept or used*) a [*describe the place*], for carrying on a lottery without the sanction of the Attorney-General (*or the director or public prosecutions*).

2. Opened (*or kept or used*) a [*describe the place*], for carrying on a lottery with the sanction of the Attorney-General (*or the director or public prosecutions*) when the regulations (*or conditions, provisions, stipulations*) to which the sanction of the Attorney-General (*or the director or public prosecutions*) was subject, were not observed and obeyed by MN, the person(s) having the management or conduct of the lottery).

Form 143—Breach of duty with respect to a corpse**(Section 236. Misconduct with regard to corpses)**

Without lawful justification or excuse, neglected to [*describe the duty touching the burial or other disposition of a human body or human remains which was to be performed*], which he (*or she*) was required to do by law, (*or which was undertaken by him (or her)*).

Form 144—Interfering with a corpse**(Section 236. Misconduct with regard to corpses)**

Improperly (*or Indecently*) interfered with (*or Offered an indignity to*) a dead human body (*or human remains*).

SCHEDULE 3 (continued)

CHAPTER 24—OFFENCES AGAINST PUBLIC HEALTH**Form 145—Contamination of goods (with intent)****(Section 238. Contamination of goods)**

Contaminated (*or* Interfered with) goods, namely [*describe the goods*] (*or* Made it appear that goods, namely [*describe the goods*] had been contaminated (*or* interfered with)).

And AB committed the offence with intent to cause public alarm or anxiety.

And AB committed the offence with intent to cause members of the public who were aware of the (apparent) contamination (*or* interference) to refrain from purchasing those (*or* similar) goods.

And AB committed the offence with intent to cause EF to suffer economic loss through taking steps to avoid public alarm or anxiety.

And AB committed the offence with intent to cause members of the public to refrain from purchasing those (*or* similar) goods.

Form 146—Threatened contamination of goods (with a demand)**(Section 238. Contamination of goods)**

Threatened that he (*or* she *or* another person) would contaminate (*or* interfere with) goods, namely, [*describe the goods*] (*or* would make it appear that goods, namely [*describe the goods*] had been contaminated (*or* interfered with)) with intent to cause—

- (a) public alarm or anxiety; *or*
- (b) members of the public who were aware of the (apparent) contamination (*or* interference) to refrain from purchasing those (*or* similar) goods; *or*
- (c) EF (*or* another person) to suffer economic loss through taking steps to avoid public alarm or anxiety; *or*

SCHEDULE 3 (continued)

- (d) members of the public to refrain from purchasing those (*or* similar) goods.

And the threat was accompanied by the making of a demand, namely [*set out the demand*].

Form 147—Hoax contamination of goods**(Section 239. Hoax contamination of goods)**

Made a statement (*or* conveyed information) to EF, knowing (*or* believing) it to be false, with the intention of inducing in EF (*or* GH) a belief that goods, namely [*describe the goods*] had been contaminated (*or* interfered with), and caused—

- (a) public alarm or anxiety; *or*
- (b) EF (*or* GH) to refrain from purchasing those (*or* similar) goods; *or*
- (c) EF (*or* another person) to suffer economic loss through taking steps to avoid public alarm or anxiety; *or*
- (d) members of the public to refrain from purchasing those (*or* similar) goods.

Form 148—Dealing in contaminated goods**(Section 240. Dealing in contaminated goods)**

1. Knowingly sold (*or* exposed for sale) (*or* had in his (*or* her) possession with intent to sell it) as goods for human consumption, [*describe the article*], that he (*or* she) knew to be contaminated (*or* unfit as goods for human consumption).

2. Knowingly took into a slaughterhouse used for the slaughter of animals for human consumption (part of) the carcass of an animal that had died of a disease.

3. Knowingly sold (*or* exposed for sale) (part of) the carcass of an animal that had died of a disease (*or* that was diseased when slaughtered).

SCHEDULE 3 (continued)

CHAPTER 25—MISCELLANEOUS OFFENCES**Form 149—Fraud on land laws****(Section 242. Frauds on land laws)**

For the purpose of acquiring land from the Crown, fraudulently evaded (or attempted to evade) the provisions of [*state the statute*], namely [*set out relevant provisions*].

Form 150—Dealing with land fraudulently acquired**(Section 243. Dealing with land fraudulently acquired from the Crown)**

Bought (or Took on lease) from MN a piece of land (or an estate in land), namely [*describe it sufficiently to identify it*], knowing that MN had acquired the land (or the estate) by means of a fraudulent evasion of the provisions of [*state the statute*], namely [*set out relevant provisions*].

SCHEDULE 3 (continued)

**PART 5—OFFENCES AGAINST THE PERSON
AND RELATING TO MARRIAGE AND
PARENTAL RIGHTS AND DUTIES AND
AGAINST THE REPUTATION OF INDIVIDUALS****CHAPTER 28—HOMICIDE—SUICIDE—
CONCEALMENT OF BIRTH****Form 151—Murder**

(Section 302. Definition of “murder”)

(Section 305. Punishment of murder)

Murdered EF.

And AB had previously on [date] at [place] been convicted of murder.

Form 152—Manslaughter

(Section 303. Definition of “manslaughter”)

(Section 310. Punishment of manslaughter)

Unlawfully killed EF.

Form 153—Attempted murder

(Section 306. Attempt to murder)

1. Attempted unlawfully to kill EF.
2. With intent unlawfully to kill EF, [describe the act done], such act being of such a nature as to be likely to endanger human life.
3. With intent unlawfully to kill EF, omitted to [describe the duty], such omission being of such a nature as to be likely to endanger human life.

SCHEDULE 3 (continued)

Form 154—Threat to murder in a document**(Section 308. Threats to murder in document)**

Knowing the contents of a document [*describe the document*] threatening to kill EF (*or* another person), directly or indirectly caused EF to receive the document.

Form 155—Conspiring to murder**(Section 309. Conspiring to murder)**

Conspired together (*or* with another person) to kill EF (*or* another person).

Form 156—Aiding suicide**(Section 311. Aiding suicide)**

1. Procured EF to kill himself (*or* herself).
2. By counselling EF to kill himself (*or* herself), induced him (*or* her) to do so.
3. Aided EF in killing himself (*or* herself).

Form 157—Killing an unborn child**(Section 313. Killing unborn child)**

1. By [*describe the act or omission*], prevented the child of MN from being born alive, when MN was about to be delivered of the child.
2. Unlawfully assaulted MN, who was pregnant with a child, and destroyed the life of (*or* did grievous bodily harm to *or* transmitted a serious disease to) the child before its birth.

SCHEDULE 3 (continued)

Form 158—Concealing the birth of a child**(Section 314. Concealing the birth of children)**

By the secret disposition of the dead body of a child of which she (*or* EF) had been delivered, endeavoured to conceal the birth of the child.

CHAPTER 29—OFFENCES ENDANGERING LIFE OR HEALTH**Form 159—Disabling to commit an indictable offence****(Section 315. Disabling in order to commit indictable offence)**

By means calculated to choke (*or* suffocate *or* strangle), namely, [*state how*], and with intent to commit (*or* to facilitate the commission of) an indictable offence (*or* and with intent to facilitate his (*or* her) flight (*or* the flight of MN (*or* another person)) after the commission (*or* attempted commission) of an indictable offence), rendered (*or* attempted to render) EF incapable of resistance.

Form 160—Stupefying to commit an indictable offence**(Section 316. Stupefying in order to commit indictable offence)**

With intent to commit (*or* to facilitate the commission of) an indictable offence (*or* with intent to facilitate his (*or* her) flight (*or* the flight of MN (*or* another person)) after the commission (*or* attempted commission) of an indictable offence), administered (*or* attempted to administer) to EF a stupefying (*or* overpowering) drug (*or* thing [*describe the thing*]).

Form 161—Malicious act with intent**(Section 317. Acts intended to cause grievous bodily harm and other malicious acts)**

With intent—

SCHEDULE 3 (continued)

- (a) to maim (*or* disfigure, *or* disable) EF (*or* another person); *or*
- (b) to do some grievous bodily harm to (*or* transmit a serious disease to) EF (*or* another person); *or*
- (c) to resist (*or* prevent) his (*or* her) lawful arrest (*or* detention) (*or* the lawful arrest (*or* detention) of MN (*or* another person)) ; *or*
- (d) to resist (*or* prevent) EF, a public officer, from acting under lawful authority;

either—

- (e) unlawfully wounded (*or* did grievous bodily harm to *or* transmitted a serious disease to) EF (*or* GH); *or*
- (f) unlawfully struck (*or* attempted to strike) EF (*or* GH) with a projectile (*or* [*describe the thing*]); *or*
- (g) unlawfully caused an explosive substance to explode; *or*
- (h) sent (*or* delivered) to EF (*or* GH) an explosive substance (*or* a dangerous (*or* noxious) thing); *or*
- (i) caused EF (*or* GH) to take (*or* receive) an explosive substance (*or* a dangerous (*or* noxious) thing)); *or*
- (j) put a corrosive fluid (*or* a destructive (*or* explosive) substance), in [*state the place*]; *or*
- (k) unlawfully cast (*or* threw) at or on (*or* unlawfully applied to the person of) EF (*or* GH) a corrosive fluid (*or* a destructive (*or* explosive) substance).

Form 162—Carrying (*or* sending) dangerous goods in a vehicle

(Section 317A. Carrying or sending dangerous goods in a vehicle)

1. Carried (*or* placed) dangerous goods namely, [*describe the goods*], in (*or* on) a vehicle.

2. Delivered dangerous goods namely, [*describe the goods*], to EF for placing in (*or* on) a vehicle.

SCHEDULE 3 (continued)

3. Had dangerous goods namely, [*describe the goods*], in his (*or her*) possession in (*or on*) a vehicle.

Form 163—Obstructing rescue**(Section 318. Obstructing rescue or escape from unsafe premises)**

Unlawfully obstructed EF, in EF's efforts to save the life of GH, who was in (*or escaping from*) dangerous (*or destroyed or unsafe*) premises.

Form 164—Intentionally endangering safety of persons travelling by railway**(Section 319. Intentionally endangering safety of persons travelling by railway)**

1. With intent to injure (*or to endanger the safety of*) a person travelling by a railway, dealt with the railway (*or with* [*describe the thing*] on (*or near*) the railway) by [*describe how*] in a way as to affect (*or endanger*) the free and safe use of the railway (*or the safety of the person*).

2. With intent to injure (*or to endanger the safety of*) a person travelling by a railway, showed a light (*or signal*) (*or* [*describe the dealing with*] an existing light (*or signal*)) on (*or near*) the railway.

3. With intent to injure (*or to endanger the safety of*) a person travelling by a railway, and by omitting to [*describe act omitted*] which it was his (*or her*) duty to do, caused the safety of the person to be endangered.

Form 165—Endangering safety of persons travelling by aircraft**(Section 319A. Endangering safety of persons travelling by aircraft)**

1. With intent to injure (*or endanger the safety of*) a person on board an aircraft, dealt with the aircraft (*or with* [*describe the thing*] on or near the aircraft) (*or with* [*describe the thing*] connected with the guidance (*or control or operation*) of the aircraft) by [*describe how*] in a way as to affect (*or endanger*) the free and safe use of the aircraft (*or the safety of the person*).

SCHEDULE 3 (continued)

2. With intent to injure (*or* endanger the safety of) a person on board an aircraft and by omitting to [*describe act omitted*] which it was his (*or* her) duty to do, caused the safety of the person to be endangered.

Form 166—Grievous bodily harm**(Section 320. Grievous bodily harm)**

Unlawfully did grievous bodily harm to EF.

Form 167—Torture**(Section 320A. Torture)**

Tortured EF.

Form 168—Attempting to injure by explosive (*or* a noxious substance)**(Section 321. Attempting to injure by explosive or noxious substances)**

Unlawfully put an explosive (*or* noxious) substance, in [*describe the place*], with intent to do bodily harm to EF (*or* another person).

Form 169—Bomb hoax**(Section 321A. Bomb hoaxes)**

1. Placed an article (*or* substance) in [*place*] (*or* sent an article (*or* substance) by [*describe how sent*]), with the intention of inducing in another person a belief that the article (*or* substance) was likely to explode (*or* ignite *or* discharge a dangerous (*or* noxious) substance).

2. Made a statement (*or* conveyed information) to EF, knowing it to be false, with the intention of inducing in EF (*or* GH *or* another person) a belief that an explosive (*or* noxious) substance (*or* acid *or* [*describe other dangerous (*or* destructive) thing*]) was present in [*describe place in Queensland*].

SCHEDULE 3 (continued)

Form 170—Endangering life by administering poison**(Section 322. Maliciously administering poison with intent to harm)**

Unlawfully, and with intent to injure (*or* annoy) EF, caused poison (*or* a noxious thing, namely, [*describe it*]), to be administered to (*or* taken by) EF (*or* GH), and endangered the life of EF (*or* GH) (*or* and did grievous bodily harm to EF (*or* GH)).

Form 171—Wounding**(Section 323. Wounding and similar acts)**

Unlawfully wounded EF.

Form 172—Administering poison**(Section 323. Wounding and similar acts)**

Unlawfully, and with intent to injure (*or* annoy) EF, caused poison (*or* a noxious thing namely, [*describe it*]) to be administered to (*or* taken by) EF (*or* GH).

Form 173—Failing to supply necessities**(Section 285. Duty to provide necessities)****(Section 286. Duty of person who has care of child)****(Section 324. Failure to supply necessities)**

Being charged with the duty of providing for EF the necessities of life, without lawful excuse failed to do so, causing the life of EF to be (*or* likely to be) endangered (*or* the health of EF to be (*or* likely to be) permanently injured).

SCHEDULE 3 (continued)

Form 174—Endangering life or health of apprentices or servants**(Section 287. Duty of masters)****(Section 325. Endangering life or health of apprentices or servants)**

Being charged as a master (*or* mistress) with the duty of providing necessary food (*or* clothing *or* lodging) for EF, a servant (*or* apprentice) under 16 years, unlawfully failed to perform that duty, (*or* did bodily harm (*or* caused bodily harm to be done) to EF, a servant (*or* apprentice) under 16 years), causing the life of EF to be (*or* likely to be) endangered (*or* the health of EF to be (*or* likely to be) permanently injured).

Form 175—Endangering the life of a child**(Section 326. Endangering life of children by exposure)**

Unlawfully abandoned (*or* exposed) EF, a child under 7, causing the life of EF to be (*or* likely to be) endangered (*or* the health of EF to be (*or* likely to be) permanently injured).

Form 176—Setting a mantrap**(Section 327. Setting mantraps)**

1. Set (*or* Placed) a spring gun (*or* a mantrap *or* an engine calculated to destroy human life (*or* calculated to inflict grievous bodily harm)) (*or* Caused a spring gun (*or etc. as above*) to be set (*or* placed)) in [*describe the place*] with the intent that it may (*or* in a place and a way likely to) kill (*or* inflict grievous bodily harm on) a person coming in contact with it, the spring gun (*or* mantrap *or* engine) not being a gin or trap usually set for destroying vermin, and not being a spring gun, mantrap or engine set at night in a dwelling house for the protection of it.

SCHEDULE 3 (continued)

2. Knowingly permitted a spring-gun (*or* a mantrap *or* an engine calculated to destroy human life (*or* calculated to inflict grievous bodily harm)) which had been set (*or* placed) by another person in a place and in a way likely to kill (*or* inflict grievous bodily harm on) a person coming in contact with it, to continue so set (*or* placed) in [*describe the place*] which was then in (*or* which afterwards came into) his (*or* her) possession (*or* occupation), the spring gun (*or* mantrap *or* engine) not being a gin or trap set for destroying vermin, and not being a spring gun, mantrap or engine set at night in a dwelling house for the protection of it.

Form 177—Negligent act causing harm**(Section 328. Negligent acts causing harm)**

Unlawfully [*describe act done*] (*or* omitted to [*describe act omitted to be done*], which it was his (*or* her) duty to do), actually causing bodily harm to EF.

Form 178—Dangerous operation of a vehicle (with a circumstance of aggravation)**(Section 328A. Dangerous operation of a vehicle)**

Dangerously operated (*or* dangerously interfered with the operation of) a vehicle in [*place*].

And at the time of committing the offence AB was adversely affected by an intoxicating substance.

And AB had previously on [*date*] at [*place*] been convicted of an offence against section 328A of the Criminal Code (while adversely affected by an intoxicating substance).

And AB had previously on [*date*] at [*place*] and on [*date*] at [*place*] been convicted of prescribed offences, namely [*describe the offences*].

SCHEDULE 3 (continued)

Form 179—Dangerous operation of a vehicle causing death (or grievous bodily harm) (while adversely affected by an intoxicating substance)**(Section 328A. Dangerous operation of a vehicle)**

Dangerously operated (or dangerously interfered with the operation of) a vehicle in [*place*], and caused the death of (or grievous bodily harm to) EF.

And at the time of committing the offence AB was adversely affected by an intoxicating substance (namely, alcohol, and the concentration of alcohol in his (or her) blood at the time equalled (or exceeded) 150 mg of alcohol per 100 ml of blood).

Form 180—Endangering safety of persons travelling by railway**(Section 329. Endangering safety of persons travelling by railway)**

By unlawfully [*describe act done*] (or By omitting to [*describe act omitted to be done*] which it was his (or her) duty to do), caused the safety of a person travelling by a railway to be endangered.

Form 181—Sending (or taking) an unseaworthy ship to sea**(Section 330. Sending or taking unseaworthy ships to sea)**

1. Sent (or Attempted to send) a ship to sea in such an unseaworthy state that the life of a person was likely to be endangered.

2. Being the master of a British ship, knowingly took (or attempted to take) the ship to sea in such an unseaworthy state that the life of a person was likely to be endangered.

SCHEDULE 3 (continued)

Form 182—Endangering a steamship by tampering with machinery**(Section 331. Endangering steamships by tampering with machinery)**

Having actual control over a steam vessel (*or* over part of the machinery of a steam vessel), [*describe the act done or omission made*] (*or* was privy to [*describe the act done or omission made*]) with respect to the machinery of the vessel, that to his (*or* her) knowledge, endangered (*or* was likely to endanger) the safety of a person on board the vessel.

Form 183—Endangering a steamship as an engineer**(Section 332. The like by engineers)**

Was an engineer (*or* 1 of the engineers) in charge of the machinery of a steam vessel at a time when MN (*or* another person) [*describe the act done or omission made by MN (or another person)*], that endangered (*or* was likely to endanger) the safety of a person on board the vessel.

Form 184—Evading laws as to equipment of ships**(Section 333. Evading laws as to equipment of ships and shipping dangerous goods)**

Having actual control over a vessel, on board of which [*describe the article*] had been placed with his (*or* her) knowledge (*or* consent) to obtain permission (*or* authority) for the vessel to leave the port of [*name*], removed (*or* allowed the removal of) the [*article*] from the vessel after the permission (*or* authority) had been obtained.

Form 185—Shipping dangerous goods**(Section 333. Evading laws as to equipment of ships and shipping dangerous goods)**

Knowingly sent by a vessel (*or* Knowingly carried in a vessel) an explosive substance (*or* an acid *or* another dangerous (*or* destructive) thing, namely, [*describe it*]), under a false description of the substance or thing (*or* with a false description of the sender of the substance or thing).

SCHEDULE 3 (continued)

Form 186—Failing to perform a duty in landing explosives**(Section 334. Landing explosives)**

1. Being charged by law with the duty of [*describe the duty*] respecting the landing (*or* delivery) of an explosive substance (*or* acid *or* another dangerous (*or* destructive) thing [*describe it*]) from a vessel, failed to perform the duty.

2. Being concerned in the landing of an explosive substance (*or* acid *or* another dangerous (*or* destructive) thing [*describe it*]), from a vessel, violated the provisions of [*set out applicable law*].

CHAPTER 30—ASSAULTS**Form 187—Common assault****(Section 335. Common assault)**

Unlawfully assaulted EF.

Form 188—Assault with intent to commit rape**(Section 336. Assault with intent to commit rape)**

Assaulted EF with intent to rape.

Form 189—Sexual assault (while armed, in company, with a circumstance of aggravation)**(Section 337. Sexual assaults)**

1. Unlawfully and indecently assaulted EF.

And immediately before (*or* during *or* immediately after) the offence, AB was (*or* pretended to be) armed with a dangerous (*or* offensive) weapon.

SCHEDULE 3 (continued)

And immediately before (*or during or immediately after*) the offence, AB was in company with another person.

And the indecent assault (*or act of gross indecency*) (partly) consisted of—

- (a) penetrating the vagina (*or vulva or anus*) of EF with an object (*or a part of the body other than the penis*); *or*
- (b) bringing into contact part of the genitalia (*or the anus*) of EF (*or AB*) with the mouth of AB (*or EF*).

2. Procured EF, without his (*or her*) consent, (*or with his (or her) consent obtained by force (or by means of threats or intimidation, or by fear of bodily harm, or by means of false and fraudulent representations as to the nature of the act, or by personating his (or her) spouse)*) to commit an act of gross indecency (*or to witness an act of gross indecency by AB (or MN)*).

And immediately before (*or during or immediately after*) the offence, AB was (*or pretended to be*) armed with a dangerous (*or offensive*) weapon.

And immediately before (*or during or immediately after*) the offence, AB was in company with another person.

And the indecent assault (*or act of gross indecency*) (partly) consisted of—

- (a) penetrating the vagina (*or vulva or anus*) of EF (*or AB or another person*) with an object (*or a part of the body other than the penis*); *or*
- (b) bringing into contact part of the genitalia (*or the anus*) of EF (*or AB or another person*) with the mouth of AB (*or EF or another person*).

SCHEDULE 3 (continued)

Form 190—Assaults on a person protecting a wreck**(Section 338. Assaults on persons protecting wrecks)**

Unlawfully assaulted and used actual violence to EF, (a justice), (*or* to GH) who was acting in the execution of his (*or* her) duty in (*or* concerning) the preservation of a vessel in distress (*or* of a vessel (*or* goods) wrecked (*or* stranded *or* cast onshore *or* lying under water)).

Form 191—Assaults on a crew member on an aircraft**(Section 338A. Assaults of member of crew on aircraft)**

While on board an aircraft, unlawfully assaulted EF, a member of the aircraft crew, (*or* threatened EF, a member of the aircraft crew, with violence (*or* injury *or* detriment) to be caused to EF (*or* GH *or* another person) by AB (*or* another person)) with the intention of affecting EF's performance of (*or* lessening EF's ability to perform) his (*or* her) functions (*or* duties) in connection with operating the aircraft.

Form 192—Assault occasioning bodily harm (while armed, in company)**(Section 339. Assaults occasioning bodily harm)**

Unlawfully assaulted EF and did him (*or* her) bodily harm.

And AB was (*or* pretended to be) armed with a dangerous (*or* offensive) weapon (*or* instrument).

And AB was in company with another (*or* other) person(s).

Form 193—Serious assault**(Section 340. Serious assaults)**

1. Assaulted EF with intent to commit a crime, (*or* with intent to resist (*or* prevent) the lawful arrest (*or* detention) of him (*or* her) (*or* of MN)).

SCHEDULE 3 (continued)

2. Assaulted (or Resisted *or* Wilfully obstructed) EF, a police officer, (or GH, who was acting in aid of EF), while EF was acting in the execution of his (or her) duty.

3. Unlawfully assaulted (or resisted *or* obstructed) EF, while he (or she) was engaged in the lawful execution of process [*describe it*] against property (or engaged in making a lawful distress).

4. Assaulted (or Resisted *or* Obstructed) EF, who was engaged in the lawful execution of process [*describe it*] against property (or engaged in making a lawful distress), with intent to rescue property lawfully taken under the process (or distress).

5. Assaulted EF, on account of his (or her) having in the execution of his (or her) duty as [*describe the duty and the act*].

6. Assaulted EF, in pursuance of an unlawful conspiracy respecting—

- (a) the [*describe the manufacture, trade, business or occupation*]; or
- (b) GH who was concerned (or employed) in the [*describe the manufacture, trade, business or occupation*]; or
- (c) the wages of GH who was concerned (or employed) in the [*describe the manufacture, trade, business or occupation*].

7. Assaulted EF, who was 60 (or older than 60).

8. Assaulted EF, who relied on a guide dog (or wheelchair, or [*describe the remedial device*]).

Form 194—Assault in interference with freedom of trade or work**(Section 346. Assaults in interference with freedom of trade or work)**

Assaulted EF, with intent to hinder (or prevent) him (or her) from working at (or exercising) his (or her) lawful trade (or business or occupation) (or from buying, selling or dealing with property intended for sale).

SCHEDULE 3 (continued)

**CHAPTER 32—ASSAULTS ON FEMALES—
ABDUCTION****Form 195—Rape****(Section 347. Rape)****(Section 348. Punishment of rape)**

Raped EF.

Form 196—Attempted rape**(Section 349. Attempt to commit rape)**

Attempted to rape EF.

Form 197—Abduction**(Section 351. Abduction)**

1. Took away (*or* Detained) EF against her will with intent to marry (*or* carnally know) her (*or* with intent to cause her to be married (*or* carnally known) by MN).

2. From motives of gain, and with intent to marry (*or* carnally know) EF, who was under 18 years and had an interest in property (*or* was a presumptive heiress (*or* co-heiress) (*or* was the presumptive next of kin (*or* 1 of the presumptive next of kin)) to HF, who had an interest in property) took (*or* enticed) her away (*or* detained her) out of the custody (*or* protection) of, and against the will of GF, her father (*or* mother), (*or* OP, who had the lawful care (*or* charge) of her).

3. From motives of gain, and with intent to cause EF, who was under 18 years and had an interest in property (*or* was a presumptive heiress (*or* co-heiress) (*or* was the presumptive next of kin (*or* 1 of the presumptive next of kin)) to HF, who had an interest in property) to be married (*or* carnally known) by GH, took (*or* enticed) her away (*or* detained her) out of the custody (*or* protection) of, and against the will of GF, her father (*or* mother), (*or* OP, who had the lawful care (*or* charge) of her).

SCHEDULE 3 (continued)

CHAPTER 33—OFFENCES AGAINST LIBERTY**Form 198—Kidnapping****(Section 354. Kidnapping)**

Forcibly took (*or* detained) EF with intent to compel him (*or* her) to work for him (*or* her) (*or* another person) against his (*or* her) will.

Form 199—(Attempted) Kidnapping for ransom (with grievous bodily harm)**(Section 354A. Kidnapping for ransom)**

1. Kidnapped EF for ransom.
2. Kidnapped EF for ransom and unconditionally set EF at liberty without EF having suffered grievous bodily harm.
3. Attempted to kidnap EF for ransom.

Form 200—Deprivation of liberty**(Section 355. Deprivation of liberty)**

1. Unlawfully confined (*or* detained) EF in a [*describe place*] against his (*or* her) will.
2. Unlawfully deprived EF of his (*or* her) personal liberty.

Form 201—Giving a false certificate affecting liberty**(Section 356. False certificates by officers charged with duties relating to liberty)**

1. Being required by law to give a certificate touching [*describe the matter*], under which the liberty of EF might be affected, gave a certificate knowing it to be false in a material particular, namely, [*describe false particular*].

SCHEDULE 3 (continued)

2. Gave a certificate touching [*describe the matter*], under which the liberty of EF might be affected, and represented himself (*or herself*) to be a person authorised by law to give the certificate, when he (*or she*) was not a person authorised by law to give it.

Form 202—Concealing a matter affecting liberty**(Section 357. Concealment of matters affecting liberty)**

1. Being required by law to keep a record of [*describe record, showing how it touches a matter relating to a person in confinement*], refused (*or neglected*) to keep the record (*or made an entry in the record which was to his (or her) knowledge false in a material particular, namely [set out false entry]*).

2. Being required by law to give information about [*describe the information and show how it touches a person in confinement*] (*or Being required by law to show EF, a person in confinement, or to show [describe place] in which EF was confined*) to MN—

- (a) refused (*or neglected*) to give the information (*or to show EF or to show the [place] to MN; or*
- (b) gave to MN information which was to his (*or her*) knowledge false in a material particular, namely, [*set out false information*].

Form 203—Unlawful custody of patients under Mental Health Act 1974**(Section 358. Unlawful custody of patients under Mental Health Act 1974)**

Detained [*or Assumed the custody of*] EF, a patient (within the meaning of the *Mental Health Act 1974*), contrary to the provisions of [*set out the applicable law*].

SCHEDULE 3 (continued)

Form 204—Threat**(Section 359. Threats)**

Threatened to do an injury (*or* cause detriment) to EF, with intent—

- (a) to prevent (*or* hinder) EF from doing [*describe the act*], which EF was lawfully entitled to do; *or*
- (b) to compel EF to [*describe the act*] which EF was lawfully entitled to abstain from doing; *or*
- (c) to cause public alarm (*or* anxiety).

Form 205—Unlawful stalking (with violence, with possession of a weapon, contravening a court order)**(Section 359E. Unlawful stalking)**

Unlawfully stalked EF.

And for 1 (*or* [*state number*]) of the concerning acts AB unlawfully used (*or* threatened to use) unlawful violence against EF (*or* GH) (*or* against the property of EF (*or* GH)).

And for 1 (*or* [*state number*]) of the concerning acts AB had possession of a weapon within the meaning of the *Weapons Act 1990*.

And for 1 (*or* [*state number*]) of the concerning acts AB contravened (*or* threatened to contravene) an injunction (*or* order) imposed (*or* made) by (*court*) at [*place*] on [*date*].

SCHEDULE 3 (continued)

**CHAPTER 34—OFFENCES RELATING TO
MARRIAGE AND PARENTAL RIGHTS AND DUTIES****Form 206—Bigamy****(Section 360. Bigamy)**

1. Being married to CB, went through the form of marriage with EF during the life of CB.
2. Went through the form of marriage with MN, who he (*or she*) knew to be married.

Form 207—Unlawfully celebrating marriage**(Section 361. Unlawful celebration of marriage)**

1. Celebrated (*or Attempted (or Professed) to celebrate*) the marriage of EF, who was to his (*or her*) knowledge under 18 years and was not a widower (*or widow*), without the written consent of a person authorised by law to consent to the marriage (*or with a written consent which to his (or her) knowledge was not given by a person authorised by law to give it*).
2. Celebrated (*or Attempted (or Professed) to celebrate*) marriage between EF and GH contrary to the provisions of the laws about the solemnisation of marriage, namely, [*describe breach*].
3. Celebrated [*or Attempted (or Professed) to celebrate*] marriage between EF and GH, knowing the laws about the solemnisation of marriage had not been complied with, namely [*describe breach*].
4. Induced (*or Attempted to induce*) MN to celebrate the marriage of EF, who was to his (*or her*) knowledge under 18 years, and was not a widower (*or widow*), without the written consent of a person authorised by law to consent to the marriage (*or with a written consent which to his (or her) knowledge was not given by a person authorised by law to give it (or to celebrate marriage between EF and GH contrary to (or without compliance with) the laws about the solemnisation of marriages, namely, [describe breach]*).

SCHEDULE 3 (continued)

5. Married EF, who was to his (or her) knowledge under 18 years and was not a widower (*or* widow), without the written consent of a person authorised by law to consent to the marriage (*or* with a written consent which to his (*or* her) knowledge was not given by a person authorised by law to give it).

Form 208—Unlawfully procuring registration as a person qualified to celebrate marriage**(Section 362. Unqualified persons procuring registration as persons qualified to celebrate marriages)**

Not being a person who was entitled to be registered under the laws about the solemnisation of marriages as a person authorised to celebrate marriages, and knowing that he (*or* she) was not such a person, procured his (*or* her) name to be registered as a person so entitled.

Form 209—Child-stealing**(Section 363. Child-stealing)**

1. Forcibly (*or* Fraudulently) took (*or* enticed) away (*or* detained) EF, a child under 16 years, with intent to deprive GF, the parent (*or* guardian) (*or* who had the lawful care (*or* charge)) of EF, of the possession of EF (*or* with intent to steal [*describe article*] on (*or* about) the person of EF).

2. Knowing that EF, a child under 16 years, had been forcibly (*or* fraudulently) taken (*or* enticed) away (*or* detained), received (*or* harboured) EF, with intent to deprive GF, the parent (*or* guardian) (*or* who had the lawful care (*or* charge)) of EF, of the possession of the child (*or* with intent to steal [*describe article*] on (*or* about) the person of EF).

Form 210—Abducting a child under 16**(Section 363A. Abduction of child under 16)**

Unlawfully took EF, an unmarried child under 16 years, out of the custody (*or* protection) of and against the will of, MN, his (*or* her) father (*or* mother, *or* the person having the lawful care or charge of him (*or* her)).

SCHEDULE 3 (continued)

Form 211—Cruelty to a child under 16**(Section 364. Cruelty to children under 16)**

Having the lawful care (*or* charge) of EF, a child under 16 years, caused suffering to him (*or* her) by—

- (a) failing to provide him (*or* her) with adequate food (*or* clothing, *or* medical treatment, *or* accommodation, *or* care), when it was available to him (*or* her) from his (*or* her) own resources; *or*
- (b) failing to take all lawful steps to obtain adequate food (*or* clothing, *or* medical treatment, *or* accommodation, *or* care) when it was not available to him (*or* her) from his (*or* her) own resources; *or*
- (c) deserting him (*or* her) ; *or*
- (d) leaving him (*or* her) without means of support.

PART 6—OFFENCES RELATING TO PROPERTY AND CONTRACTS**CHAPTER 36—STEALING****Form 212—Stealing**

(Section 391. Definition of “stealing”)

(Section 398. Punishment of stealing)

(Section 568(1). Cases in which several charges may be joined)

Stole [*describe thing or things stolen*], the property of EF (*or* the property of different (*or* unknown) persons).

SCHEDULE 3 (continued)

Form 213—Stealing an animal**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing)****(Section 568(1). Cases in which several charges may be joined)**Stole a horse (or [*describe the animal*], see s.398(2)), the property of EF.**Form 214—Stealing a testamentary instrument****(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing wills)****(Section 568(1). Cases in which several charges may be joined)**Stole a testamentary instrument, namely [*describe it*].**Form 215—Stealing from the person****(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing from the person—stealing goods in transit etc.)****(Section 568(1). Cases in which several charges may be joined)**Stole [*describe thing*] the property of EF, from the person of EF (or GH).**Form 216—Stealing in a dwelling (with violence)****(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing from the person—stealing goods in transit etc.)****(Section 568(1). Cases in which several charges may be joined)****1.** Stole [*describe thing*] the property of EF, in a dwelling, and the value of [*the thing*] exceeded \$1 000.

SCHEDULE 3 (continued)

2. Stole [*describe thing*] the property of EF, in a dwelling, and at (*or* immediately before *or* after) the time of stealing, used (*or* threatened to use) violence to EF (*or* GH) who was in the dwelling.

Form 217—Stealing goods in transit

(Section 391. Definition of “stealing”)

(Section 398. Punishment of stealing, punishment in special cases, stealing from the person—stealing goods in transit etc.)

(Section 568(1). Cases in which several charges may be joined)

Stole [*describe thing*] the property of EF, from a vehicle (*or* a place of deposit) used for the conveyance (*or* custody) of goods in transit from 1 place to another.

Form 218—Stealing from a wrecked vehicle

(Section 391. Definition of “stealing”)

(Section 398. Punishment of stealing, punishment in special cases, stealing from the person—stealing goods in transit etc.)

(Section 568(1). Cases in which several charges may be joined)

Stole [*describe thing*] the property of EF, from a vehicle which was in distress (*or* which had been wrecked (*or* stranded)).

Form 219—Stealing from a public office

(Section 391. Definition of “stealing”)

(Section 398. Punishment of stealing, punishment in special cases, stealing from the person—stealing goods in transit etc.)

(Section 568(1). Cases in which several charges may be joined)

Stole [*describe thing*] the property of EF, from a public office in which it was deposited (*or* kept).

SCHEDULE 3 (continued)

Form 220—Stealing from a locked room (*or* box, *or* receptacle)**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing from the person—stealing goods in transit etc.)****(Section 568(1). Cases in which several charges may be joined)**

Stole [*describe thing*] the property of EF, and in order to commit the offence opened a locked room (*or* box, *or* receptacle) with a key (*or* [*describe instrument*]).

Form 221—Stealing as a public service employee**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing by persons in the public service)****(Section 568(1). Cases in which several charges may be joined)**

Being employed in the public service, stole [*describe thing*] the property of Her Majesty (*or* which had come into his (*or* her) possession through his (*or* her) employment).

Form 222—Stealing as clerk (*or* servant)**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing by clerks and servants)****(Section 568(1). Cases in which several charges may be joined)**

Being the clerk (*or* servant) of EF, stole [*describe thing*] the property of EF [*or* which had come into his (*or* her) possession on account of EF].

SCHEDULE 3 (continued)

Form 223—Stealing as a director (or officer) of a company**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing by directors or officers of companies)****(Section 568(1). Cases in which several charges may be joined)**

Being a director (or an officer) of [*describe the corporation or company*], stole [*describe thing*] the property of the company (or corporation).

Form 224—Stealing property received with a direction**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing by agents etc.)****(Section 568(1). Cases in which several charges may be joined)**

1. Stole [*describe thing*] the property of EF, which had been received by him (or her) with a power of attorney for its disposition.

2. Stole a sum of money the property of EF, which had been received by AB with a direction that it be applied to [*state purpose*] (or paid to GH).

3. Stole [*describe thing*], being the proceeds (or part of the proceeds) of a valuable security that had been received by AB with a direction that the proceeds be applied to [*state purpose*] (or paid to GH).

4. Stole [*describe thing*], being the proceeds (or part of the proceeds) arising from the disposition of property that had been received by AB under a power of attorney (or other authority [*describe it*]) for the disposition with a direction that the proceeds be applied to [*state purpose*] (or paid to GH).

SCHEDULE 3 (continued)

Form 225—Stealing property valued at over \$5 000**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing property of value exceeding \$5 000)****(Section 568(1). Cases in which several charges may be joined)**

Stole [*describe thing stolen*], the property of EF, the value of which exceeded \$5 000.

Form 226—Stealing as a tenant (or lodger)**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing by tenants or lodgers)****(Section 568(1). Cases in which several charges may be joined)**

Stole [*describe thing stolen*], the property of EF, which was a fixture (or chattel), that had been let to AB to be used by him (or her) with a house (or lodging), and its value exceeded \$1 000.

Form 227—Stealing after previous conviction**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing after previous conviction)****(Section 568(1). Cases in which several charges may be joined)**

Stole [*describe thing stolen*], the property of EF.

And before committing the offence, AB had on [*date*] at [*place*] been convicted on indictment of [*set out substance and effect of indictment*] (or had on [*date*] at [*place*] been summarily convicted of [*set out substance and effect of complaint*] and on [*date*] at [*place*] been summarily convicted of [*set out substance and effect of complaint*]).

SCHEDULE 3 (continued)

Form 228—Stealing of a vehicle**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing of a vehicle)****(Section 568(1). Cases in which several charges may be joined)**

Stole a vehicle, the property of EF.

Form 229—Stealing by looting**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing by looting)****(Section 568(1). Cases in which several charges may be joined)**

1. Stole [*describe thing stolen*], the property of EF, during a natural disaster (*or* civil unrest, *or* an industrial dispute).

2. Stole [*describe thing stolen*], the property of EF, that had been left unattended by the death (*or* incapacity) of EF (*or* GH), the person in possession of the property.

Form 230—Stealing firearm for use in an indictable offence**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing firearm for use in another indictable offence)****(Section 568(1). Cases in which several charges may be joined)**

Stole a firearm, the property of EF, intending that it be used to commit an indictable offence.

SCHEDULE 3 (continued)

Form 231—Stealing firearm (*or* ammunition)**(Section 391. Definition of “stealing”)****(Section 398. Punishment of stealing, punishment in special cases, stealing firearm or ammunition)****(Section 568(1). Cases in which several charges may be joined)**Stole a firearm (*or* ammunition) the property of EF.**CHAPTER 37—OFFENCES ANALOGOUS TO STEALING****Form 232—Concealing a register****(Section 399. Concealing registers)**

With intent to defraud, concealed (*or* took from [*state the place of deposit*]) a register (*or* a copy of part of the register required by law to be sent to [*name the public officer*]) authorised (*or* required) by law to be kept for authenticating (*or* recording) the title to property (*or* for recording births (*or* baptisms, *or* marriages, *or* deaths, *or* burials)).

Form 233—Concealing a will**(Section 400. Concealing wills)**

Concealed a testamentary instrument, with intent to defraud.

Form 234—Concealing a deed**(Section 401. Concealing deeds)**

Concealed (part of) a document that was evidence of the EF's title to land (*or* to an estate in land), with intent to defraud.

SCHEDULE 3 (continued)

Form 235—Severing with intent to steal**(Section 403. Severing with intent to steal)**

Made moveable a [*describe the thing*] the property of EF, with intent to steal it.

Form 236—Fraudulently dealing with minerals in a mine**(Section 405. Fraudulently dealing with minerals in mines)**

Took (*or* Concealed, *or* Disposed of) [*describe the ore, metal or mineral*] in (*or* about) a mine, with intent to defraud.

Form 237—Bringing stolen goods into Queensland**(Section 406. Bringing stolen goods into Queensland)**

Brought [*describe property*] into Queensland (*or* Had in his (*or* her) possession in Queensland [*describe property*]), which he (*or* she) had obtained in [*place not in Queensland*] by an act which if it had been done in Queensland would have constituted the crime of stealing, and which was an offence under the laws of [*place where the act was done*].

Form 238—Fraudulently disposing of mortgaged goods**(Section 407. Fraudulent disposition of mortgaged goods)**

Being the mortgagor of mortgaged goods, namely [*describe*], removed (*or* disposed of) the goods without the consent of EF, the mortgagee, and with intent to defraud.

Form 239—Fraudulently appropriating power**(Section 408. Fraudulent appropriation of power)**

Fraudulently abstracted (*or* diverted to his (*or* her) own use (*or* to MN's use)) any mechanical (*or* illuminating *or* electrical) power derived from a machine (*or* apparatus *or* substance) the property of EF.

SCHEDULE 3 (continued)

Form 240—Unlawfully using (or possessing) a motor vehicle (or aircraft or vessel) (to facilitate the commission of an indictable offence, with damage)**(Section 408A. Unlawful user or possession of motor vehicles, aircraft or vessels)**

1. Unlawfully used a motor vehicle (or aircraft or vessel) without the consent of EF, the person in lawful possession of it.

And AB used (or intended to use) the motor vehicle (or aircraft or vessel) to facilitate the commission of an indictable offence.

And AB wilfully destroyed (or damaged or removed or interfered with) (part of) the mechanism of (or part of or equipment attached to) the motor vehicle (or aircraft or vessel).

2. Had in his (or her) possession a motor vehicle (or aircraft or vessel) without the consent of EF, the person in lawful possession of it, with intent to temporarily (or permanently) deprive its owner of the use and possession of it.

And AB used (or intended to use) the motor vehicle (or aircraft or vessel) to facilitate the commission of an indictable offence.

And AB wilfully destroyed (or damaged or removed or interfered with) (part of) the mechanism of (or part of or equipment attached to) the motor vehicle (or aircraft or vessel).

Form 241—Fraud (as a director, as an employee, of property subject to a direction, to the value of \$5 000 or more)**(Section 408C. Fraud)****Section 568(3). Cases in which several charges may be joined**

1. Dishonestly applied to his (or her) own use (or to the use of MN) [*describe the property*] belonging to EF (or belonging to different persons).

And AB was a director (or member of the governing body) of EF.

And AB was an employee of EF.

SCHEDULE 3 (continued)

And [*describe the property*] came into his (*or her*) possession (*or control*) subject to a trust (*or trusts*) (*or direction(s) or condition(s)*) that it should be applied to [*describe the purpose(s)*] (*or be paid to GH (or different persons)*) (*or came into his (or her) possession on account of EF (or GH or different persons)*).

And the property (*or the yield to AB from the dishonesty*) was of a value of \$5 000 (*or more than \$5 000, namely [state value]*).

2. Dishonestly applied to his (*or her*) own use (*or to the use of MN*) [*describe the property*] belonging to him (*or her*) (*or in his (or her) possession*) subject to a trust (*or direction or condition*) (*or subject to different trusts etc*) [*or on account of EF (or on account of different persons)*].

And AB was a director (*or member of the governing body*) of EF.

And AB was an employee of EF.

And [*describe the property*] came into his (*or her*) possession (*or control*) subject to a trust (*or trusts*) (*or direction(s) or condition(s)*) that it should be applied to [*describe the purpose(s)*] (*or be paid to GH (or different persons)*) (*or came into his (or her) possession on account of EF (or GH or different persons)*).

And the property (*or the yield to AB from the dishonesty*) was of a value of \$5 000 (*or more than \$5 000, namely [state value]*).

3. Dishonestly obtained [*describe the property*] from EF (*or from different persons*).

And AB was a director (*or member of the governing body*) of EF.

And AB was an employee of EF.

And [*describe the property*] came into his (*or her*) possession (*or control*) subject to a trust (*or trusts*) (*or direction(s) or condition(s)*) that it should be applied to [*describe the purpose(s)*] (*or be paid to GH (or different persons)*) (*or came into his (or her) possession on account of EF (or GH or different persons)*).

And the property (*or the yield to AB from the dishonesty*) was of a value of \$5 000 (*or of more than \$5 000, namely [state value]*).

SCHEDULE 3 (continued)

4. Dishonestly induced EF (*or* different persons) to deliver [*describe the property*] to him (*or* her) (*or* to MN).

And AB was a director (*or* member of the governing body) of EF.

And AB was an employee of EF.

And [*describe the property*] came into his (*or* her) possession (*or* control) subject to a trust (*or* trusts) (*or* direction(s) *or* condition(s)) that it should be applied to [*describe the purpose(s)*] (*or* be paid to GH (*or* different persons)) (*or* came into his (*or* her) possession on account of EF (*or* GH *or* different persons)).

And the property (*or* the yield to AB from the dishonesty) was of a value of \$5 000 (*or* more than \$5 000, namely [*state value*]).

5. Dishonestly gained [*describe the benefit or advantage*] for himself (*or* herself *or* for MN).

And AB was a director (*or* member of the governing body) of EF.

And AB was an employee of EF.

And [*describe the property*] came into his (*or* her) possession (*or* control) subject to a trust (*or* trusts) (*or* direction(s) *or* condition(s)) that it should be applied to [*describe the purpose(s)*] (*or* be paid to GH (*or* different persons)) (*or* came into his (*or* her) possession on account of EF (*or* GH *or* different persons)).

And the property (*or* the yield to AB from the dishonesty) was of a value of \$5 000 (*or* more than \$5 000, namely [*state value*]).

6. Dishonestly caused [*describe the detriment*] to EF (*or* to different persons).

And AB was a director (*or* member of the governing body) of EF.

And AB was an employee of EF.

And [*describe the property*] came into his (*or* her) possession (*or* control) subject to a trust (*or* trusts) (*or* direction(s) *or* condition(s)) that it should be applied to [*describe the purpose(s)*] (*or* be paid to GH (*or* different persons)) (*or* came into his (*or* her) possession on account of EF (*or* GH *or* different persons)).

SCHEDULE 3 (continued)

And the property (*or* the yield to AB from the dishonesty) was of a value of \$5 000 (*or* more than \$5 000, namely [*state value*]).

7. Dishonestly induced EF (*or* different persons) to [*describe the act*], that EF was (*or* they were) lawfully entitled to abstain from doing.

And AB was a director (*or* member of the governing body) of EF.

And AB was an employee of EF.

And [*describe the property*] came into his (*or* her) possession (*or* control) subject to a trust (*or* trusts) (*or* direction(s) *or* condition(s)) that it should be applied to [*describe the purpose(s)*] (*or* be paid to GH (*or* different persons)) (*or* came into his (*or* her) possession on account of EF (*or* GH or different persons)).

And the property (*or* the yield to AB from the dishonesty) was of a value of \$5 000 (*or* more than \$5 000, namely [*state value*]).

8. Dishonestly induced EF (*or* different persons) to abstain from [*describe act*], that EF was (*or* they were) lawfully entitled to do.

And AB was a director (*or* member of the governing body) of EF.

And AB was an employee of EF.

And [*describe the property*] came into his (*or* her) possession (*or* control) subject to a trust (*or* trusts) (*or* direction(s) *or* condition(s)) that it should be applied to [*describe the purpose(s)*] (*or* be paid to GH (*or* different persons)) (*or* came into his (*or* her) possession on account of EF (*or* GH or different persons)).

And the property (*or* the yield to AB from the dishonesty) was of a value of \$5 000 (*or* more than \$5 000, namely [*state value*]).

9. Dishonestly made off, knowing that payment(s) on the spot was (*or* were) required (*or* expected) for [*describe the property*] lawfully supplied (*or* returned) (*or* for (*describe the service(s)*) lawfully provided), without having paid, and with intent to avoid payment.

And AB was a director (*or* member of the governing body) of EF.

And AB was an employee of EF.

SCHEDULE 3 (continued)

And [*describe the property*] came into his (*or her*) possession (*or control*) subject to a trust (*or trusts*) (*or direction(s) or condition(s)*) that it should be applied to [*describe the purpose(s)*] (*or be paid to GH (or different persons)*) (*or came into his (or her) possession on account of EF (or GH or different persons)*).

And the property (*or the yield to AB from the dishonesty*) was of a value of \$5 000 (*or more than \$5 000, namely [state value]*).

Form 242—Computer hacking (with damage, to gain a benefit, to the value of \$5 000 or more, with intent to commit an indictable offence)**(Section 408D. Computer hacking and misuse)**

Used a restricted computer, without the consent of EF, its controller.

And AB caused (*or intended to cause*) detriment (*or damage*) (*or gained (or intended to gain) a benefit, namely [describe the benefit]*).

And the value of the detriment (*or damage or benefit*) was more than \$5 000.

And AB intended to commit an indictable offence.

**CHAPTER 38—STEALING WITH VIOLENCE—
EXTORTION BY THREATS****Form 243—(Armed) Robbery (in company, with personal violence, with wounding)****(Section 409. Definition of “robbery”)****(Section 411. Punishment of robbery)**

Robbed EF.

And AB was (*or pretended to be*) armed with a dangerous (*or offensive*) weapon (*or instrument*), namely, [*describe it*].

SCHEDULE 3 (continued)

And AB was in company with another person (*or* other persons).

And at (*or* immediately before *or* immediately after) the time of the robbery, AB wounded (*or* used other personal violence to) EF (*or* GH).

Form 244—Attempted (Armed) Robbery (in company, with personal violence, with wounding)**(Section 412. Attempted robbery)**

Assaulted EF with intent to steal, and at (*or* immediately before *or* immediately after) the time of the assault, used (*or* threatened to use) actual violence to EF (*or* another person) (*or* to [*describe the property*]) to obtain the thing that he (*or* she) intended to steal (*or* with intent to prevent (*or* overcome) resistance to the thing being stolen).

And AB was (*or* pretended to be) armed with a dangerous (*or* offensive) weapon (*or* instrument), namely, [*describe it*].

And AB was in company with another person (*or* other persons).

And AB was armed with a dangerous (*or* offensive) weapon (*or* instrument) (*or* noxious substance), namely [*describe it*], and at (*or* immediately before *or* immediately after) the time of the assault, wounded (*or* used other personal violence to) EF (*or* GH) by the weapon (*or* instrument *or* noxious substance).

Form 245—Assault with intent to steal**(Section 413. Assault with intent to steal)**

Assaulted EF with intent to steal.

Form 246—Demanding property with menaces**(Section 414. Demanding property with menaces with intent to steal)**

With intent to steal it, demanded [*describe thing*] from EF, with threats that injury (*or* detriment) would be caused to him (*or* her) by AB (*or* MN) if the demand were not complied with.

SCHEDULE 3 (continued)

Form 247—Extortion (with a circumstance of aggravation)**(Section 415(1). Demanding property, benefit or performance of services with threats)**

1. With intent to extort (*or gain*) [*describe the property or benefit or service to be performed*] from EF, and knowing its contents, caused EF (*or GH*) to receive a document demanding without reasonable or probable cause [*describe the property or benefit or service*] from EF (*or GH or IJ*) (*or demanding without reasonable or probable cause that* [*describe thing to be done or omitted to be done or procured*] by EF (*or GH or IJ*)) and containing threats of injury (*or detriment*) to be caused to EF (*or GH or IJ or to the public or members of the public or to property*), by AB (*or MN*), if the demand was not complied with.

And the threat if carried out would be likely to cause loss of life (*or serious personal injury to someone or substantial economic loss in an industrial or commercial activity*).

2. With intent to extort (*or gain*) [*describe the property or benefit or service to be performed*] from EF, orally demanded without reasonable or probable cause [*describe the property or benefit or service*] from EF (*or GH or IJ*) (*or orally demanded without reasonable or probable cause that* [*describe thing to be done or omitted to be done or procured*] by EF (*or GH or IJ*)), with threats of injury (*or detriment*) to be caused to EF (*or GH or IJ or to the public or members of the public or to property*), by AB (*or MN*), if the demand was not complied with.

And the threat if carried out would be likely to cause loss of life (*or serious personal injury to someone or substantial economic loss in an industrial or commercial activity*).

SCHEDULE 3 (continued)

Form 248—Attempted extortion by threats (with a circumstance of aggravation)**(Section 416. Attempts at extortion by threats)**

1. Accused (*or* Threatened to accuse) EF of committing an indictable offence, (*or* of offering (*or* making) a solicitation (*or* threat) to MN as an inducement to him (*or* her) to commit (*or* permit the commission of) an indictable offence), with intent to extort (*or* gain) [*describe the property or benefit or service to be performed*] from EF (*or* GH).

And the accusation (*or* threat of accusation) was of—

- (a) an offence for which the punishment of imprisonment for life may be inflicted; *or*
- (b) an offence (*or* attempt to commit an offence) defined in chapter 22 of the Criminal Code, “Offences Against Morality”, namely [*describe it*]; *or*
- (c) an assault with intent to unlawfully sodomise OP (*or* to unlawfully and indecently assault a male person); *or*
- (d) an attempt to rape (*or* to assault with intent to rape, *or* to unlawfully and indecently assault a female); *or*
- (e) a solicitation (*or* threat offered *or* made) as an inducement to commit (*or* permit the commission of) [*describe offence as in paragraph (a) to (d) above*].

2. Threatened to EF that he (*or* she) (*or* GH) should be accused by OP of committing an indictable offence, (*or* of offering (*or* making) a solicitation (*or* threat) to MN as an inducement to him (*or* her) to commit (*or* permit the commission of) an indictable offence), with intent to extort (*or* gain) [*describe the property or benefit or service to be performed*] from EF (*or* GH).

And the accusation (*or* threat of accusation) was of—

- (a) an offence for which the punishment of imprisonment for life may be inflicted; *or*

SCHEDULE 3 (continued)

- (b) an offence (*or* attempt to commit an offence) defined in chapter 22 of the Criminal Code, “Offences Against Morality”, namely [*describe it*]; *or*
- (c) an assault with intent to unlawfully sodomise OP (*or* to unlawfully and indecently assault a male person); *or*
- (d) an attempt to rape (*or* to assault with intent to rape, *or* to unlawfully and indecently assault a female); *or*
- (e) a solicitation (*or* threat offered *or* made) as an inducement to commit (*or* permit the commission of) [*describe offence as in paragraph (a) to (d) above*].

3. Knowing the contents of a document, caused EF to receive the document containing an accusation against him (*or* her) (*or* against GH) (*or* containing a threat that he (*or* she *or* GH) should be accused) of committing an indictable offence, (*or* of offering (*or* making) a solicitation (*or* threat) to MN as an inducement to him (*or* her) to commit (*or* permit the commission of) an indictable offence), with intent to extort (*or* gain) [*describe the property or benefit or service to be performed*] from EF (*or* GH).

And the accusation (*or* threat of accusation) was of—

- (a) an offence for which the punishment of imprisonment for life may be inflicted; *or*
- (b) an offence (*or* attempt to commit an offence) defined in chapter 22 of the Criminal Code, “Offences Against Morality”, namely [*describe it*]; *or*
- (c) an assault with intent to unlawfully sodomise OP (*or* to unlawfully and indecently assault a male person); *or*
- (d) an attempt to rape (*or* to assault with intent to rape, *or* to unlawfully and indecently assault a female); *or*
- (e) a solicitation (*or* threat offered *or* made) as an inducement to commit (*or* permit the commission of) [*describe offence as in paragraph (a) to (d) above*].

SCHEDULE 3 (continued)

Form 249—Procuring execution of a valuable security by threats**(Section 417. Procuring execution of deeds etc. by threats)**

With intent to defraud, and by unlawful violence to (*or* restraint of) (*or* threat of violence (*or* restraint) to be used to) the person of EF (*or* by accusing (*or* threatening to accuse) EF of committing an indictable offence, namely [*describe it*] (*or* of offering (*or* making) a solicitation (*or* threat) to MN as an inducement to him (*or* her) to commit (*or* permit the commission of) an indictable offence), compelled (*or* induced) EF (*or* GH)—

- (a) to execute (*or* make *or* accept *or* indorse *or* alter *or* destroy) a valuable security (*or* part of a valuable security), namely, [*describe it*]; *or*
- (b) to write (*or* impress *or* affix) his (*or* her) name (*or* seal) (*or* the name (*or* seal) of KL) on (*or* to) a paper (*or* parchment) in order that it may afterwards be made (*or* converted) into (*or* used as *or* dealt with as) a valuable security, namely, [*describe it*].

Form 250—Taking control of an aircraft (with another on board, with violence, while armed, in company, by a fraudulent representation)**(Section 417A. Taking control of aircraft)**

Unlawfully took (*or* exercised) control of an aircraft.

And another person, not being an accomplice of AB, was on board the aircraft.

And at (*or* immediately before *or* immediately after) the time of taking (*or* exercising) control of the aircraft, AB used (*or* threatened to use) actual violence to EF (*or* to property [*describing it*]), to take (*or* exercise) control of the aircraft (*or* to prevent *or* overcome resistance to the control being taken *or* exercised).

And AB was armed with a dangerous (*or* offensive) weapon (*or* instrument) (*or* was in company with another *or* other person(s)).

By a fraudulent representation (*or* trick *or* device).

SCHEDULE 3 (continued)

**CHAPTER 39—BURGLARY—HOUSEBREAKING—
AND LIKE OFFENCES****Form 251—Burglary (by breaking, in the night, with violence, while armed, in company, with property damage)****(Section 419. Burglary)**

(Broke and) Entered (*or* Was in) the dwelling of EF (in the night) with intent to commit an indictable offence in the dwelling.

And AB used (*or* threatened to use) actual violence.

And AB was (*or* pretended to be) armed with a dangerous (*or* offensive) weapon (*or* instrument) (*or* noxious substance).

And AB was in company with another (*or* other person(s)).

And AB damaged (*or* threatened *or* attempted to damage) property.

Form 252—Burglary and [*state indictable offence e.g. by using the schedule form heading*]**(Section 419. Burglary)**

Entered (*or* was in) the dwelling of EF and [*describe indictable offence committed e.g. by using the schedule form*] in the dwelling.

Form 253—Entering (*or* being in) premises with intent to commit an indictable offence**(Section 421. Entering or being in premises and committing indictable offences)**

Entered (*or* Was in) the premises of EF with intent to commit an indictable offence in the premises.

SCHEDULE 3 (continued)

Form 254—(Breaking and) Entering (or being in) premises and [state offence e.g. by using the schedule form heading]**(Section 421. Entering or being in premises and committing indictable offences)**

(Broke and) Entered (or was in) the premises of EF and [describe indictable offence committed e.g. by using the schedule form] in the premises.

Form 255—Possessing things used in connection with unlawful entry (with a circumstance of aggravation)**(Section 425. Possession of things used in connection with unlawful entry)**

1. Was found armed with a dangerous (or offensive) weapon (or instrument) (or noxious substance), namely, [describe it] and he (or she) was so armed with intent to break (or enter) a dwelling (or premises), and to commit an indictable offence in the dwelling (or premises).

And AB had previously on [date] at [place] been convicted of a crime relating to property, namely, [describe the previous conviction].

2. Was found having in his (or her) possession [describe the thing] intended for use in (or in connection with) the commission of the offence of burglary (or entering (or being in) premises and committing indictable offences).

And AB had previously on [date] at [place] been convicted of a crime relating to property, namely, [describe the previous conviction].

3. Was found having in his (or her) possession by night without lawful excuse a housebreaking instrument, namely [describe it].

And AB had previously on [date] at [place] been convicted of a crime relating to property, namely, [describe the previous conviction].

4. Was found having in his (or her) possession by day a housebreaking instrument, namely, [describe it] with intent to commit an indictable offence.

SCHEDULE 3 (continued)

And AB had previously on [date] at [place] been convicted of a crime relating to property, namely, [describe the previous conviction].

5. Was found having his (or her) face masked (or blackened) (or was found disguised) with intent to commit an indictable offence.

And AB had previously on [date] at [place] been convicted of a crime relating to property, namely, [describe the previous conviction].

Form 256—Unlawfully entering a vehicle**(Section 426. Unlawful entry of vehicle)**

Unlawfully entered a vehicle, the property of EF.

Form 257—Unlawfully entering a vehicle with intent to commit an indictable offence (in the night, with violence, while armed, in company, with property damage)**(Section 427. Unlawful entry of a vehicle for committing indictable offence)**

Unlawfully entered a vehicle, the property of EF, (in the night) with intent to commit an indictable offence.

And AB used (or threatened to use) actual violence.

And AB was (or pretended to be) armed with a dangerous (or offensive) weapon (or instrument) (or noxious substance).

And AB was in company with another person (or other persons).

And AB damaged (or threatened (or attempted) to damage) property.

SCHEDULE 3 (continued)

CHAPTER 40— OTHER FRAUDULENT PRACTICES**Form 258—Passing valueless cheques****(Section 427A. Obtaining property by passing valueless cheques)**

1. Obtained from EF [*describe the chattel, money, valuable security, credit, benefit or advantage*] by passing a cheque that was not paid on presentation for payment.

2. Passed a cheque, in the (attempted) discharge of a debt (*or liability or obligation*), which was not paid on presentation for payment.

Form 259—Conspiracy to defraud**(Section 430. Conspiracy to defraud)**

1. Conspired together (*or with another person*) to affect by deceit (*or by fraudulent means*) the market price of [*describe thing*] publicly sold.

2. Conspired together (*or with another person*) to defraud the public (*or EF or another person*) (*or to extort property from EF*) by deceit (*or by fraudulent means*).

Form 260—Fraud on sale (*or mortgage*) of property**(Section 431. Frauds on sale or mortgage of property)**

Being the seller (*or mortgagor*) of property, namely [*describe it*] (*or*) Being the solicitor (*or agent*) of MN, the seller (*or mortgagor*) of property, namely [*describe it*], with intent to induce EF, the purchaser (*or mortgagee*) of the property, to accept the title offered (*or produced*) to him (*or her*), and with intent to defraud—

- (a) concealed from EF an instrument material to the title to (*or an encumbrance on*) the property; *or*
- (b) falsified a pedigree on which the title to the property depended (*or might depend*).

SCHEDULE 3 (continued)

Form 261—Pretending to exercise witchcraft (or tell fortunes)**(Section 432. Pretending to exercise witchcraft or tell fortunes)**

1. Pretended to exercise (or use) witchcraft (or sorcery or enchantment or conjuration).

2. Undertook to tell fortunes.

3. Pretended, from his (or her) skill in (or knowledge of) an occult science, to discover where (or in what way) anything supposed to have been stolen (or lost) may be found.

CHAPTER 41—RECEIVING PROPERTY STOLEN OR FRAUDULENTLY OBTAINED AND LIKE OFFENCES

Form 262—Receiving stolen property (or property fraudulently obtained) (with a circumstance of aggravation, as a pawnbroker)

(Section 433. Receiving stolen property etc.)

(Section 568(4). Cases in which several charges may be joined)

Received [*describe thing(s) received*], which had been [*describe the indictable offence(s) by which the thing(s) had been obtained*] (or which had been obtained by means of an act done at [*place not in Queensland*]) that, if it had been done in Queensland, would have constituted an indictable offence, and that was an offence under the laws in force in [*place where act was done*]) and AB had reason to believe that the [*thing(s)*] had been so obtained.

And the offence(s) by which the thing (or things) was (or were) obtained was a crime (or were crimes).

And the thing (or 1 of the things) received was a firearm (or ammunition).

And AB received the thing (or 1 of the things) while acting as a pawnbroker (or dealer in second hand goods).

SCHEDULE 3 (continued)

Form 263—Corruptly taking a reward**(Section 435. Taking reward for recovery of property obtained by means of indictable offences)**

Corruptly received (*or* obtained) (*or* Corruptly agreed to receive (*or* obtain)) [*describe property or benefit*] on an agreement (*or* understanding) that he (*or* she) would help EF to recover [*describe property*] which had been [*describe indictable offence by which property obtained*] (*or* which had been obtained by means of an act done at [*place not in Queensland*] that, if it had been done in Queensland, would have constituted an indictable offence, and that was an offence under the laws of [*place where the act was done*]), without having used all due diligence to cause the offender to be brought to trial for the offence.

CHAPTER 42—FRAUDS BY TRUSTEES AND OFFICERS OF COMPANIES AND CORPORATIONS—FALSE ACCOUNTING**Form 264—Destroying (*or* converting) property as a trustee****(Sections 436. Trustees fraudulently disposing of trust property etc.)****(Section 568(2). Cases in which several charges may be joined)**

1. Being a trustee of [*describe the property*], destroyed it (*or* the property), with intent to defraud.
2. Being a trustee of [*describe the property*], converted it (*or* the property) to a use not authorised by the trust, with intent to defraud.

SCHEDULE 3 (continued)

Form 265—Keeping fraudulent accounts**(Section 437. Directors and officers of corporations or companies fraudulently appropriating property, or keeping fraudulent accounts, or falsifying books or accounts)**

1. Being a director (*or* officer) of [*name the corporation or company*], received (*or* possessed himself (*or* herself) of) [*describe the property*], the property of the company (*or* corporation), otherwise than in payment of a just debt (*or* demand), and, with intent to defraud, he (*or* she) omitted to make (*or* to cause *or* direct to be made) a full and true entry of it in the books and accounts of the company (*or* corporation).

2. Being a director (*or* officer *or* member) of [*name the corporation or company*]—

- (a) destroyed (*or* altered *or* mutilated *or* falsified *or* was privy to destroying (*or* altering *or* mutilating *or* falsifying)) a book (*or* document *or* valuable security *or* account *or* an entry in a book (*or* document *or* account)) which belonged to the company (*or* corporation), with intent to defraud; *or*
- (b) made (*or* was privy to making) a false entry in a book (*or* document *or* account) belonging to the company (*or* corporation), with intent to defraud; *or*
- (c) omitted (*or* was privy to omitting) from a book (*or* document *or* account) belonging to the company (*or* corporation), a material particular, namely, [*describe*], with intent to defraud.

Form 266—Making a false statement as a company official**(Section 438. False statements by officials of companies)**

Being a promoter (*or* director, officer *or* auditor) of [*name the company or corporation, if existing*] (*or* a company intended to be formed), made (*or* circulated *or* published) (*or* concurred in making (*or* circulating *or* publishing)) a written statement (*or* account) which to his (*or* her) knowledge was false in a material particular, namely, [*set out the false statement*], with intent to—

SCHEDULE 3 (continued)

- (a) deceive (*or* defraud) a member (*or* share holder *or* creditor) of the company (*or* corporation); *or*
- (b) induce a person to become a member of the company (*or* corporation) (*or* to entrust (*or* advance) property to the company (*or* corporation)) (*or* to enter into a security for the benefit of the company (*or* corporation)).

Form 267—Misappropriation as a local government member**(Section 440. Misappropriation by members of local governments)**

Being a member of a local government, namely [*name*]—

- (a) advisedly applied [*describe the money*], which formed part of a fund [*describe the fund*] under the control of the local government to a purpose to which to his (*or* her) knowledge it could not lawfully be applied, namely, [*state the illegal purpose*]; *or*
- (b) advisedly concurred in the application of (*describe the money*), which formed part of a fund [*describe the fund*] under the control of the local government to a purpose to which to his (*or* her) knowledge it could not lawfully be applied, namely, [*state the illegal purpose*].

Form 268—Fraudulently falsifying a record**(Section 441. Fraudulent falsification of records)**

With intent to defraud—

- (a) made a false entry namely, [*describe it*] in a [*describe the record*]; *or*
- (b) omitted to make an entry namely, [*describe it*] in a [*describe the record*]; *or*
- (c) gave a certificate of (*or* information) [*describe the certificate or information*] that was false in a material particular, namely [*describe*]; *or*

SCHEDULE 3 (continued)

- (d) falsified (*or* destroyed *or* altered *or* damaged) a [*describe the record*]; *or*
- (e) produced (*or* made use of) a [*describe the record*] that he (*or* she) knew was false in a material particular, namely [*describe*].

Form 269—False accounting as a public officer**(Section 442. False accounting by public officer)**

Being an officer charged with the receipt (*or* custody *or* management) of public revenue (*or* property), knowingly gave a false statement (*or* return) of money (*or* of property) received by him (*or* her) (*or* entrusted to his (*or* her) care) (*or* of a balance of money (*or* property) and in his (*or* her) possession *or* under his (*or* her) control).

CHAPTER 42A—SECRET COMMISSIONS**Form 270—Secret commission****(Section 442B. Receipt or solicitation of secret commission by an agent)**

Being an agent, corruptly received (*or* solicited) from EF for himself (*or* herself) (*or* for GH) valuable consideration, namely [*describe*]—

- (a) as an inducement (*or* reward) for (*or* on account of) doing (*or* forbearing to do *or* having done *or* forbore to do) [*describe the act*] in relation to his (*or* her) principal's affairs (*or* business); *or*
- (b) the receipt (*or* expectation) of which would tend to influence him (*or* her) to show (*or* forbear to show) favour (*or* disfavour) to any person in relation to his (*or* her) principal's affairs (*or* business).

SCHEDULE 3 (continued)

Form 271—Secret commission**(Section 442BA. Gift or offer of secret commission to an agent)**

Corruptly gave (*or* offered) to EF, an agent, valuable consideration, namely [*describe*]—

- (a) as an inducement (*or* reward) for (*or* on account of) EF doing (*or* forbearing to do *or* having done *or* having forborne to do) [*describe the act*] in relation to his (*or* her) principal's affairs (*or* business); *or*
- (b) the receipt (*or* expectation) of which would tend to influence EF to show (*or* forbear to show) favour (*or* disfavour) to any person in relation to his (*or* her) principal's affairs (*or* business).

Form 272—Secret commission**(Section 442D. False or misleading receipt or account)**

1. Gave to EF, an agent, with intent to deceive (*or* defraud) his (*or* her) principal, a receipt (*or* invoice *or* account *or* document) in respect of which (*or* in relation to a dealing *or* transaction *or* matter in which) the principal was interested, and which—

- (a) contained a statement which was false (*or* erroneous *or* defective) in an important particular, namely, [*describe*] (*or* contained an overcharge *or* was in any way likely to mislead the principal); *or*
- (b) omitted to state explicitly and fully that a commission (*or* percentage, bonus *etc*) had been (*or* agreed to be) made (*or* given *or* allowed).

2. Being an agent, received (*or* used *or* gave to his (*or* her) principal) a receipt (*or* invoice *or* account *or* document) in respect of which (*or* in relation to a dealing *or* transaction *or* matter in which) the principal was interested, and which—

- (a) contained a statement which was false (*or* erroneous *or* defective) in an important particular, namely, [*describe*] (*or* contained an overcharge *or* was likely to mislead the principal); *or*

SCHEDULE 3 (continued)

- (b) omitted to state explicitly and fully that a commission (*or* percentage, bonus *etc*) had been (agreed to be) made (*or* given *or* allowed).

Form 273—Secret commission**(Section 442E. Secret commission for advice given)**

1. Gave to EF advice which was intended (*or* likely) to induce (*or* influence) EF—

- (a) to enter into a contract with GH and, without the assent of EF, AB received valuable consideration from GH; *or*
- (b) to appoint (*or* join with MN in the appointment, *or* vote for, *or* aid in obtaining the election *or* appointment, *or* to authorise *or* join with MN in authorising the appointment of) GH as trustee (*or* director, *or* manager, *or* official) and, without the assent of EF, AB received valuable consideration from GH.

2. Gave to GH valuable consideration, without the assent of EF, when GH had given advice to EF which was intended (*or* likely) to induce (*or* influence) EF—

- (a) to enter into a contract with AB; *or*
- (b) to appoint (*or* join with MN in the appointment, *or* vote for, *or* aid in obtaining the election *or* appointment, *or* to authorise *or* join with MN in authorising the appointment of) AB as trustee (*or* director, manager, *or* official).

Form 274—Secret commission**(Section 442EA. Offer or solicitation of secret commission in return for advice given or to be given)**

1. Offered valuable consideration for advice given (*or* to be given) by GH to EF to induce (*or* influence) EF—

- (a) to enter into a contract with AB and with intent that the gift of such valuable consideration would not be made known to EF; *or*

SCHEDULE 3 (continued)

(b) to appoint (*or* join with MN in the appointment, *or* vote for, *or* aid in obtaining the election *or* appointment, *or* to authorise *or* join with MN in authorising the appointment of) AB as trustee (*or* director, *or* manager, *or* official), and with intent that the gift of such valuable consideration would not be made known to EF.

2. Solicited from OP valuable consideration for advice given (*or* to be given) by AB to EF to induce (*or* influence) EF—

(a) to enter into a contract with OP and with intent that the receipt of such valuable consideration would not be made known to EF; *or*

(b) to appoint (*or* join with MN in the appointment, *or* vote for, *or* aid in obtaining the election *or* appointment, *or* to authorise *or* join with MN in authorising the appointment of) AB as trustee (*or* director, *or* manager, *or* official) and with intent that the receipt of such valuable consideration would not be made known to EF.

Form 275—Secret commission**(Section 442F. Secret commission to trustee in return for substituted appointment)**

1. Offered (*or* gave) valuable consideration to EF, a trustee, without the assent of the persons beneficially entitled to the estate (*or* of a Judge of the Supreme Court), as an inducement (*or* reward) for appointing (*or* having appointed, *or* for joining *or* for having joined with MN in appointing, *or* for authorising *or* for having authorised, *or* for joining *or* for having joined with MN in authorising) GH to be appointed instead of EF (*or* instead of EF and IJ) as trustee.

2. Being a trustee, received (*or* solicited) valuable consideration for himself (*or* herself) (*or* for OP), without the assent of the persons beneficially entitled to the estate (*or* of a Judge of the Supreme Court), as an inducement (*or* reward) for appointing (*or* for having appointed, *or* for joining *or* for having joined with MN in appointing, *or* for authorising *or* for having authorised, *or* for joining *or* having joined with MN in authorising) GH to be appointed instead of himself (*or* herself) (*or* instead of himself (*or* herself) and IJ).

SCHEDULE 3 (continued)

Form 276—Secret commission**(Section 442G. Liability of director etc. acting without authority)**

Being a director (*or* manager, *or* officer) of [*name the company*] (*or* officer *or* crew member of [*name the vessel*]) (*or* Acting for JK) knowingly and unlawfully took part in (*or* was privy to *or* attempted to) [*describe the act*] without authority.

**CHAPTER 44—OFFENCES ANALOGOUS TO
STEALING RELATING TO ANIMALS****Form 277—Killing an animal with intent to steal****(Section 444A. Killing animals with intent to steal)**

Killed a cow (*or* [*describe the animal*]) with intent to steal (part of) the skin (*or* carcass).

Form 278—Using registered brand with criminal intention**(Section 444B. Using registered brands with criminal intention)**

Branded (*or* Marked) a horse (*or* [*describe the animal*]) with the registered brand (*or* mark) of EF without his (*or* her) permission and with intent to facilitate the commission of a crime.

Form 279—Unlawfully using an animal**(Section 445. Unlawfully using cattle)**

Unlawfully used a horse (*or* [*describe the animal*]), without the consent of EF, the person in lawful possession of it.

SCHEDULE 3 (continued)

Form 280—Possessing a stolen animal**(Section 446. Suspicion of stealing cattle)**

Was found in possession of (*or* with the custody of) [(part of the) skin (*or* carcass) of] a horse (*or* [*describe the animal*]), which animal was suspected on reasonable grounds of having been stolen.

Form 281—Illegal branding**(Section 447. Illegal branding)**

Branded (*or* Marked) a horse (*or* [*describe the animal*]) (*or* Knowingly permitted a horse (*or* [*describe the animal*]) to be branded (*or* marked)) with his (*or* her) registered brand (*or* mark), knowing that he (*or* she) was not the owner of the horse (*or* [*describe the animal*]).

Form 282—Defacing brands**(Section 448. Defacing brands)**

1. Altered (*or* Defaced *or* Rendered undistinguishable) a registered brand (*or* registered mark) on a horse (*or* [*describe the animal*]).
2. Knowingly permitted a registered brand (*or* registered mark) on a horse (*or* [*describe the animal*]) to be altered (*or* defaced *or* rendered undistinguishable) by MN, a person over whom he (*or* she) had control.

Form 283—Possessing an animal with a defaced brand**(Section 448A. Having in possession an animal with defaced brand)**

Was found in possession (*or* with the custody) of a horse (*or* [*describe the animal*]) on which the registered brand (*or* mark) had been altered (*or* defaced, *or* rendered indistinguishable).

SCHEDULE 3 (continued)

CHAPTER 44B—OTHER OFFENCES ANALOGOUS TO STEALING PUNISHABLE ON SUMMARY CONVICTION**Form 284—Unlawfully possessing shipwrecked goods****(Section 451. Unlawful possession of shipwrecked goods)**

1. Was found in possession of [*describe things found*], which belonged to a vessel in distress (*or* wrecked *or* stranded) and which were suspected on reasonable grounds to have been unlawfully taken from the vessel.

2. Was found to have on his (*or* her) premises, on [*date*] at [*place*] [*describe things found*], which belonged to a vessel in distress (*or* wrecked *or* stranded) and which were suspected on reasonable grounds to have been unlawfully taken from the vessel.

Form 285—Offering shipwrecked goods for sale**(Section 452. Offering shipwrecked goods for sale)**

Offered (*or* Exposed) for sale [*describe thing*] which was suspected on reasonable grounds to have been unlawfully taken from a vessel in distress (*or* wrecked *or* stranded).

CHAPTER 46—OFFENCES**Form 286—Arson****(Section 461. Arson)**

Wilfully and unlawfully set fire to [*describe thing*].

SCHEDULE 3 (continued)

Form 287—Attempted arson**(Section 462. Attempts to commit arson)**

1. Attempted unlawfully to set fire to [*describe thing*].
2. Wilfully and unlawfully set fire to [*describe thing*] which was so situated that [*describe thing*] was likely to catch fire from it.

Form 288—Setting fire to a crop**(Section 463. Setting fire to crops and growing plants)**

Wilfully and unlawfully set fire to [*describe thing*].

Form 289—Attempting to set fire to a crop**(Section 464. Attempting to set fire to crops etc.)**

Attempted unlawfully to set fire to [*describe thing*].

Form 290—Casting away a ship**(Section 465. Casting away ships)**

1. Wilfully and unlawfully cast away (*or* destroyed) a vessel.
2. Wilfully and unlawfully [*describe the act done*], tending to the immediate loss [*or* destruction] of a vessel in distress.
3. With intent to bring a vessel into danger, interfered with a light (*or* beacon *or* mark *or* signal) used for purposes of navigation (*or* for the guidance of sailors) (*or* exhibited a false light (*or* signal)).

Form 291—Attempting to cast away a ship**(Section 466. Attempts to cast away ships)**

1. Attempted unlawfully to cast away (*or* destroy) a vessel.
2. Attempted unlawfully to [*describe the act attempted to be done*], tending to the immediate loss (*or* destruction) of a vessel in distress.

SCHEDULE 3 (continued)

Form 292—Obstructing (or injuring) a railway with intent**(Section 467. Obstructing and injuring railways)**

Unlawfully, and with intent to obstruct the use of a railway (or to injure property on a railway)—

- (a) dealt with the railway (or with [*describe thing*] on (or near) the railway) by [*describe dealing*] in such a way as to affect (or endanger) the free and safe use of the railway; or
- (b) showed a light (or signal) (or dealt with an existing light or signal) on (or near) the railway; or
- (c) by omitting to [*describe the act omitted*] which it was his (or her) duty to do, caused the free and safe use of the railway to be endangered.

Form 293—Endangering the safe use of an aircraft**(Section 467A. Endangering the safe use of an aircraft)**

With intent to prejudice the safe use of an aircraft (or to injure property on an aircraft)—

- (a) dealt with it (or with [*describe thing*] on (or near) it, or connected directly or indirectly with the guidance control or operation of it) by [*describe the dealing*] in such a way as to affect (or endanger) the free and safe use of the aircraft; or
- (b) by omitting to [*describe act omitted*] which it was his (or her) duty to do, caused the free and safe use of the aircraft to be endangered.

Form 294—Injuring an animal (at night)**(Section 468. Injuring animals)**

Wilfully and unlawfully killed (or maimed or wounded) a horse (or [*describe the animal*]), the property of EF (in the night-time).

SCHEDULE 3 (continued)

Form 295—Wilful damage (or destruction)**(Section 469. Wilful damage)**

Wilfully and unlawfully destroyed (or damaged) [*describe property*].

Form 296—Wilful damage (or destruction) endangering life**(Section 469. Wilful damage, punishment in special cases, destroying or damaging an inhabited house or a vessel or an aircraft with explosives)**

Wilfully and unlawfully destroyed (or damaged) a dwelling (or a vessel or an aircraft), by the explosion of an explosive substance, and GH was in the dwelling (or vessel or aircraft) (or and the destruction (or damage) actually endangered the life of GH).

Form 297—Wilfully damaging a sea wall**(Section 469. Wilful damage, punishment in special cases, sea bank, or sea wall, navigation works, or bridges)**

Wilfully and unlawfully destroyed (or damaged) a bank of the sea (or [*describe the property*]), and the injury caused actual danger of inundation (or damage) to land (or a building).

Form 298—Wilfully destroying a railway**(Section 469. Wilful damage, punishment in special cases, sea bank, or sea wall, navigation works, or bridges)**

Wilfully and unlawfully destroyed a railway (or a bridge (or viaduct or aqueduct) constructed over a highway (or over a railway or over a canal) or a bridge (or viaduct or aqueduct) over which a highway (or railway or canal) passed).

SCHEDULE 3 (continued)

Form 299—Wilfully damaging a railway with intent

(Section 469. Wilful damage, punishment in special cases, sea bank, or sea wall, navigation works, or bridges)

Wilfully and unlawfully damaged a railway (*or* a bridge (*or* viaduct *or* aqueduct) constructed over a highway (*or* over a railway *or* over a canal) *or* a bridge (*or* viaduct *or* aqueduct) over which a highway (*or* railway *or* canal) passed), with intent to render (part of) the railway (*or* [*describe the property*]) dangerous (*or* impassable), and it was rendered dangerous (*or* impassable).

Form 300—Wilfully destroying (*or* damaging) a testamentary instrument (*or* register)

(Section 469. Wilful damage, punishment in special cases, wills and registers)

Wilfully and unlawfully destroyed (*or* damaged) a testamentary instrument (*or* a register which was then authorised (*or* required) by law to be kept for authenticating (*or* recording) the title to property (*or* for recording births (*or* [*describe the event*]) (*or* a copy of part of a register which was then authorised (*or* required) by law to be kept for authenticating (*or* recording) the title to property (*or* for recording births (*or* [*describe the event*])), which copy was required by law to be sent to [*describe the public officer*]).

Form 301—Wilfully destroying (*or* damaging) a wreck

(Section 469. Wilful damage, punishment in special cases, wrecks)

Wilfully and unlawfully destroyed (*or* damaged) a vessel which was in distress (*or* wrecked *or* stranded) [*or* [*describe thing*] belonging to a vessel which was in distress (*or* wrecked *or* stranded)].

SCHEDULE 3 (continued)

Form 302—Wilfully destroying (or damaging) a part of a railway
(Section 469. Wilful damage, punishment in special cases, railways)

Wilfully and unlawfully destroyed (or damaged) part of a railway (or work connected with a railway).

Form 303—Wilfully destroying (or damaging) an aircraft
(Section 469. Wilful damage, punishment in special cases, aircraft)

Wilfully and unlawfully destroyed (or damaged) an aircraft (or [*describe thing*] connected with the guidance or control or operation of an aircraft).

Form 304—Wilfully destroying (or damaging) property of special value

(Section 469. Wilful damage, punishment in special cases, other things of special value)

1. Wilfully and unlawfully destroyed a vessel.
2. Wilfully and unlawfully damaged a vessel, with intent to destroy it (or to render it useless).
3. Wilfully and unlawfully destroyed (or damaged) a light (or beacon or buoy or mark or signal) used for purposes of navigation (or for the guidance of sailors).
4. Wilfully and unlawfully destroyed (or damaged) a bank of the sea (or [*describe the property*]).
5. Wilfully and unlawfully damaged a railway (or [*describe the property*]) with intent to render it (or part of it) dangerous or impassable.
6. Wilfully and unlawfully destroyed [*describe thing*] in process of manufacture (or [*describe the property*]).
7. Wilfully and unlawfully damaged [*describe thing*] in process of manufacture (or [*describe the property*]), with intent to destroy it (or to render it useless).

SCHEDULE 3 (continued)

8. Wilfully and unlawfully destroyed (*or* damaged) a mine shaft (*or* passage of a mine) with intent to damage (*or* obstruct the working of) the mine.

9. Wilfully and unlawfully destroyed (*or* damaged) a machine (*or* [*describe the property*]) appertaining to (*or* used with) a mine.

10. Wilfully and unlawfully destroyed a rope (*or* [*describe the property*]) used in (*or* used on a way (*or* work) appertaining to (*or* used with)) a mine.

11. Wilfully and unlawfully damaged a rope (*or* [*describe the property*]) used in (*or* used on a way (*or* work) appertaining to (*or* used with)) a mine, with intent to destroy it (*or* to render it useless).

12. Wilfully and unlawfully destroyed (*or* damaged) a well (*or* [*describe the property*]).

Form 305—Wilfully destroying (*or* damaging) a deed

(Section 469. Wilful damage, punishment in special cases, deeds and records)

Wilfully and unlawfully destroyed (*or* damaged) a [*describe the document*], which was deposited (*or* kept) in a [*state the public office*] (*or* which was evidence of the title of EF to land (*or* to an estate in land)).

Form 306—Wilful destruction (*or* damage) by graffiti (with obscene representations)

(Section 469. Wilful damage, punishment in special cases, graffiti)

1. Wilfully and unlawfully destroyed (*or* damaged) [*describe property*] in a public place (*or* which was visible from a public place), and the damage (*or* destruction) was caused by applying paint (*or* [*name other marking substance*]) (*or* by scratching (*or* etching)).

2. [*As above*], and involved obscene (*or* indecent) representations.

SCHEDULE 3 (continued)

Form 307—Wilful destruction (or damage) of an educational institution**(Section 469. Wilful damage, punishment in special cases, educational institutions)**

Wilfully and unlawfully destroyed (or damaged) [*describe property*], which was part of a school (or education centre or [*describe the educational institution*]).

Form 308—Attempting to destroy property by explosives**(Section 470. Attempts to destroy property by explosives)**

Unlawfully, and with intent to destroy (or damage) [*describe property*], put an explosive substance in [*describe place*].

Form 309—Unlawfully depositing explosives**(Section 470A. Unlawful deposition of explosives)**

Wilfully and without reasonable cause (or excuse) threw (or left down or deposited) an explosive substance in [*describe place*] under such circumstances that it might cause injury to EF (or another person) (or damage to the property of EF (or another person)).

Form 310—Attempting to injure a mine**(Section 471. Attempts to injure mines)**

With intent to injure a mine (or to obstruct the working of a mine)—

- (a) unlawfully caused water to run into it (or into a subterranean passage communicating with it), such act not being an act done underground in the course of working an adjoining mine, (or unlawfully obstructed a shaft (or passage) of it, such act not being an act done underground in the course of working an adjoining mine); or
- (b) unlawfully obstructed the working of a machine (or an appliance or certain apparatus) appertaining to (or used with) the mine; or

SCHEDULE 3 (continued)

- (c) unlawfully, and with intent to render it useless, injured (or unfastened) a rope (or [*describe the property*]) used in the mine (or used on a way (or work) appertaining to (or used with) the mine).

Form 311—Interfering with a marine signal**(Section 472. Interfering with marine signals)**

1. Wilfully and unlawfully removed (or defaced or rendered invisible) a light (or beacon or buoy or mark or signal) used for purposes of navigation (or for the guidance of sailors).

2. Unlawfully attempted to remove (or deface or render invisible) a light (or beacon or buoy or mark or signal) used for purposes of navigation (or for the guidance of sailors).

Form 312—Interfering with navigation works**(Section 473. Interfering with navigation works)**

1. Wilfully and unlawfully removed (or disturbed) [*describe object or material*] used for securing a bank of the sea (or [*describe the property*]) (or for securing a work appertaining to a port (or [*describe the property*]) or for securing a work which was used for purposes of navigation (or for lading (or unlading) goods)).

2. Unlawfully [*describe the act*], with intent to obstruct the carrying on (or completion or maintenance) of the navigation of a navigable river (or canal), and obstructed the carrying on (or completion or maintenance).

Form 313—Communicating an infectious disease to animals**(Section 474. Communicating infectious diseases to animals)**

Wilfully and unlawfully caused [or Was wilfully and unlawfully concerned in causing or Wilfully and unlawfully attempted to cause] an infectious (or contagious) disease, to be communicated to (or among) [*describe animal*].

SCHEDULE 3 (continued)

Form 314—Travelling with an infected animal**(Section 475. Travelling with infected animals)**

Caused [*describe animal*] which was infected with an infectious (*or* contagious) disease, to travel (*or* Being the owner (*or* a joint owner) of [*describe animal*] which was infected with an infectious (*or* contagious) disease, permitted (*or* connived) at the travelling of it) contrary to the provisions of [*state the statute*].

Form 315—Removing a boundary mark**(Section 476. Removing boundary marks)**

Wilfully and unlawfully, and with intent to defraud, removed (*or* defaced) an object [*describe it*] (*or* mark), which had been lawfully erected (*or* made) as an indication of the boundary of land.

Form 316—Obstructing a railway**(Section 477. Obstructing railways)**

Unlawfully [*describe the unlawful act*] (*or* Intentionally omitted to [*describe the act*] which it was his (*or* her) duty to do), causing an engine (*or* vehicle) in use on a railway to be obstructed in its passage on the railway.

Form 317—Sending a letter threatening to destroy**(Section 478. Sending letters threatening to burn or destroy)**

Knowing the contents of it, caused EF to receive a document threatening that a [*describe the building or vessel, or other property*] would be burnt (*or* destroyed).

SCHEDULE 3 (continued)

CHAPTER 49—PUNISHMENT OF FORGERY AND LIKE OFFENCES**Form 318—Forgery (with a circumstance of aggravation)****(Section 488. Forgery and uttering, punishment in special cases)****(Section 568(5). Cases in which several charges may be joined)**

1. With intent to defraud, forged a document (*or* documents) purporting to be [*describe the document by its purport, or by any name or designation by which it is usually known. See Code, s 565*].

2. [*As above*], purporting to be (*or* intending that it be understood to be (*or* used as)), [*describe the document in terms of s.488, paras 1 to 5*].

Form 319—Uttering (with a circumstance of aggravation)**(Section 488. Forgery and uttering, punishment in special cases)****(Section 568(5). Cases in which several charges may be joined)**

1. With intent to defraud, uttered a forged document (*or* documents), purporting to be [*describe the document by its purport, or by any name or designation by which it is usually known. See Code, s 565*].

2. [*As above*], purporting to be [*or* intending that it be understood to be (*or* used as)], (*describe the document in terms of s.488, paras 1 to 5*).

Form 320—Procuring execution of a document by a false pretence**(Section 492. Procuring execution of documents by false pretences)**

By means of a false and fraudulent representation as to the nature (*or* contents *or* operation) of a document, procured EF to sign (*or* execute) the document.

SCHEDULE 3 (continued)

Form 321—Changing a crossing on a cheque**(Section 493. Obliterating crossings on cheques)**

Obliterated (*or* Added to *or* Altered) the crossing on a cheque, with intent to defraud.

Form 322—Uttering a changed crossed cheque**(Section 493. Obliterating crossings on cheques)**

Knowingly uttered a crossed cheque on which the crossing had been obliterated (*or* added to *or* altered), with intent to defraud.

Form 323—Making a document without authority**(Section 494. Making documents without authority)**

Without lawful authority or excuse made (*or* signed *or* executed) for (*or* in the name of *or* on account of) EF, a document, with intent to defraud.

Form 324—Uttering a document made without authority**(Section 494. Making documents without authority)**

With intent to defraud, knowingly uttered a document, which had been made (*or* signed *or* executed) by MN for (*or* in the name of *or* on account of) EF without lawful authority or excuse.

**Form 325—Procuring property on a forged testamentary instrument
(or a false grant of probate)****(Section 495. Demanding property upon forged testamentary instruments)**

1. Procured the delivery (*or* payment) to himself (*or* herself) (*or* to MN) of [*describe property or money*] by virtue of a probate (*or* letters of administration) granted on a forged testamentary instrument, knowing that it had been forged.

SCHEDULE 3 (continued)

2. Procured the delivery (*or* payment) to himself (*or* herself) (*or* to MN) of [*describe property or money*] by virtue of a grant of probate (*or* letters of administration) obtained by false evidence, knowing the grant to be so obtained.

Form 326—Purchasing (or receiving) a forged banknote**(Section 496. Purchasing forged banknotes)**

Without lawful authority or excuse, purchased (*or* received) from MN (*or* from another person) (*or* had in his (*or* her) possession) a forged banknote, knowing it to be forged.

Form 327—Falsifying a certificate of a message received by telegraph**(Section 497. False certificate of message received by telegraph)**

Knowingly signed on a document purporting to be a copy of a [*describe document*] the contents of which had been received by telegraph under the provisions of [*state the statute*], a false certificate that it had been received under the law.

Form 328—Falsifying a warrant for money payable under public authority**(Section 498. Falsifying warrants for money payable under public authority)**

Being employed in the public service, knowingly, and with intent to defraud, made out (*or* delivered to MN) a warrant for the payment to MN of a sum of money payable by public authority for a greater (*or* less) amount than that to which he (*or* she) was entitled.

SCHEDULE 3 (continued)

Form 329—Falsifying a register**(Section 499. Falsification of registers)**

Having the actual custody of a register (*or* record) [*describe*] kept by lawful authority, knowingly permitted an entry to be made in the register (*or* record) which, to his (*or* her) knowledge, was false in a material particular, namely, [*describe false entry*].

Form 330—Sending a false certificate of marriage to registrar**(Section 500. Sending false certificate of marriage to registrar)**

Signed (*or* Transmitted to RG, a person authorised by law to register marriages) a certificate of a marriage (*or* a document purporting to be a certificate of a marriage), which to his (*or* her) knowledge was false in a material particular, namely, [*describe false entry*].

Form 331—Making a false statement about a birth (or a death or marriage)**(Section 501. False statements for the purpose of registers of births, deaths, and marriages)****(Section 501A. Contradictory statements)**

1. Knowingly made a false statement touching a matter required by law to be registered in the register of births (*or* deaths *or* marriages), namely, [*set out statement*], with intent to procure the statement to be inserted in the register.

2. Knowingly made 2 statements touching a matter required by law to be registered in the register of births (*or* deaths *or* marriages), one of which is irreconcilably in conflict with the other, and made one of the statements knowing it to be false, with intent to procure that statement to be inserted in the register.

SCHEDULE 3 (continued)

Form 332—False representation**(Section 502. Attempts to procure unauthorised status)**

1. By false representation, procured [*describe the authority*] to issue to him (*or her*) (*or to MN*) a certificate [*describe the effect of the certificate*].

2. Falsely represented to MN that he (*or she*) had obtained a certificate [*describe the effect of the certificate*] issued by [*describe the authority*].

3. By false representation, procured himself (*or herself*) (*or MN*) to be registered on [*describe the register*] kept by [*describe the lawful authority*].

Form 333—Counterfeiting a trade mark**(Section 503. Counterfeiting trademarks)**

1. Made a counterfeit trade mark purporting to be the trade mark of EF, with intent to defraud (*or to enable MN or another person to defraud*).

2. Knowingly, and with intent to defraud (*or to enable MN or another person to defraud*), used a genuine trademark (*or a counterfeit trade mark*) on [*describe the article*] in a way that the trademark so used signified (*or implied or might reasonably induce persons to believe*) contrary to the fact, that the [*describe the article*] was as designated by the trademark.

Form 334—Uttering false rules (or memorandum, constitution or articles)**(Section 504. Circulating false copies of rules or lists of members of societies or companies)**

Knowingly, and with intent to deceive (*or defraud*) (*or to enable MN to deceive or defraud*), uttered to EF a document purporting to be a copy of the memorandum (*or articles*) of association (*or constitution*) of [*name the corporation or joint stock company*] (*or of the rules or by-laws of [name the corporation or society]*), constituted under the authority of [*state the statute*]), but which was not a true copy of it (*or a document purporting to be a list of the members of the [name the corporation, company, or society] but which was not a true list of such members*).

SCHEDULE 3 (continued)

**CHAPTER 50—FORGERY AND LIKE OFFENCES
PUNISHABLE ON SUMMARY CONVICTION****Form 335—Forging (or uttering) documents under (*state the statute*)****(Section 506. Forgery of sailors' tickets or documents relating to regulation of factories and shops)**

1. Forged a document purporting to be (*or* intending that it be understood to be *or* used as) [*describe the document by its purport*], being a document required to be obtained (*or* used) under the provisions of the [*state the statute*].

2. Uttered a document required to be obtained (*or* used) under the provisions of the [*state the statute*] namely, a [*describe it*], which had been issued to EF, and falsely represented himself (*or* herself) to be EF.

Form 336—Fraudulently using adhesive stamps**(Section 507. Fraudulent use of adhesive stamps)**

1. Fraudulently removed an adhesive stamp (*or* caused an adhesive stamp to be removed) from a document with intent that the stamp might be used again.

2. Fraudulently affixed an adhesive stamp which had been removed from a document to another document, with intent that the stamp might be used again.

3. Knowingly uttered an adhesive stamp which had been fraudulently, and with intent that it might be used again, removed from a document.

4. Knowingly uttered a document having on it an adhesive stamp which had been fraudulently, and with intent that it might be used again, removed from another document.

SCHEDULE 3 (continued)

Form 337—Giving a false warranty (or label or certificate)**(Section 508. False warranties or labels relating to the sale of food)**

1. Knowingly gave to EF, a purchaser, a false warranty in writing with respect to [*describe the food or drug*] sold by him (*or her*).
2. Knowingly gave with [*describe the food or drug*] sold by him (*or her*), a label which falsely described the same.
3. In proceedings under [*state the statute*], knowingly applied to [*describe the food or drug*] a certificate (*or warranty*) which had been given with respect to another article (*or drug*).

CHAPTER 51—PREPARATION FOR FORGERY**Form 338—Preparing for forgery****(Section 510. Instruments and materials for forgery)**

1. Unlawfully made (*or started to make or prepared to make*) [*describe the thing*] with intent to use it to forge a document.
2. Unlawfully possessed [*describe the thing*] with intent to use it to forge a document.
3. Unlawfully used [*describe the thing*] to forge a document.

Form 339—Disposing of a thing used for forgery**(Section 510. Instruments and materials for forgery)**

Unlawfully disposed of [*describe the thing*] that had been used to forge a document.

SCHEDULE 3 (continued)

CHAPTER 52—PERSONATION**Form 340—Personation****(Section 514. Personation in general)**

1. Falsely represented himself (*or* herself) to be EF, with intent to defraud.
2. Falsely represented himself (*or* herself) to be EF, who was entitled by will (*or* by operation of law) to property, namely [*describe it*], with intent to defraud and with intent to obtain (possession of) the property.

Form 341—False acknowledgment**(Section 515. Falsely acknowledging deeds, recognisances etc.)**

Without lawful authority or excuse made, in the name of EF, before [*describe the court or person lawfully authorised to take it*], an acknowledgment of liability, namely [*describe it*] (*or* an acknowledgment of a deed (*or* instrument)).

Form 342—Personation of a person named in a certificate**(Section 516. Personation of a person named in a certificate)**

Uttered a [*describe the document*] which had been issued by lawful authority to EF, under which EF was certified to be [*describe the qualification, office, profession, etc*], and falsely represented himself (*or* herself) to be EF.

SCHEDULE 3 (continued)

Form 343—Lending a certificate for personation**(Section 517. Lending certificates for personation)**

Being the holder of a [*describe the document*] which had been issued to him (*or her*) by lawful authority, and under which he (*or she*) was certified to be [*describe the qualification, office, profession, etc*], lent the [*document*] to MN, with intent that MN might represent himself (*or herself*) to be the person named in the document.

CHAPTER 54—OTHER OFFENCES**Form 344—Mixing an uncertified article with a certified article****(Section 533. Mixing uncertified with certified articles)**

Mixed with [*describe the article*], to which a mark had been attached (*or* about which a certificate had been given) under the authority of the [*state the statute*] for the purpose of denoting its quality (*or* of denoting that it had been examined (*or* approved) by (*or* under the authority of) [*name the public body or officer*]), another article [*describe the other article*] which had not been so examined (*or* approved).

Form 345—Intimidating a worker (or an employee)**(Section 534. Intimidation of workers and employers)**

1. By violence to the person (*or* property) of EF (*or* By threats *or* By intimidation *or* By besetting the house (*or* place of work) of EF *or* By following EF in a disorderly manner in a public highway *or* By molesting (*or* obstructing) EF by a physical act in the pursuit of his (*or her*) lawful vocation)—

- (a) compelled (*or* attempted to compel) EF (*or* GH), to depart from his (*or her*) employment (*or* to return his (*or her*) work before it was finished); *or*

SCHEDULE 3 (continued)

(b) prevented EF (*or* GH), who was not then employed, from accepting employment from KL

2. Used violence to the person (*or* property) of EF (*or* Used threats (*or* intimidation) to EF *or* Molested (*or* Obstructed) EF by a physical act)—

(a) to induce EF (*or* GH) to belong to a club (*or* association) (*or* to contribute to a common fund intended to be raised for [*state the purpose*] *or* to pay a fine (*or* penalty)); *or*

(b) on account of his (*or* her) (*or* on account of GH) not belonging to a club (*or* association) (*or* not having contributed (*or* having refused to contribute) to a common fund intended to be raised for [*state the purpose*] *or* to pay a fine (*or* penalty)); *or*

(c) on account of his (*or* her) (*or* on account of GH) not having complied (*or* refusing to comply) with rules (*or* orders *or* resolutions *or* regulations) made (*or* pretended to be made) by MN (and others) (*or* by a club (*or* association)) to obtain an advance of wages in (*or* to reduce the rate of wages in *or* to lessen (*or* alter) the hours of working in *or* to decrease (*or* alter) the quantity of work done in *or* to regulate the mode of carrying on *or* to regulate the management of) the manufacture [*describe the manufacture, trade or business*].

3. By violence to the person (*or* property) of EF (*or* By threats *or* By intimidation *or* By molesting (*or* obstructing) EF) compelled (*or* endeavoured to compel) EF (*or* GH), who was carrying on the manufacture [*describe the manufacture, trade or business*] to make an alteration in his (*or* her) mode of carrying it on (*or* to limit the number of his (*or* her) apprentices *or* to limit the number (*or* description) of his (*or* her) tradespersons (*or* workers *or* servants)).

SCHEDULE 3 (continued)

**PART 7—PREPARATION TO COMMIT
OFFENCES—CONSPIRACY—ACCESSORIES
AFTER THE FACT****CHAPTER 55—ATTEMPTS AND PREPARATION TO
COMMIT OFFENCES**

Form 346—Attempted (or attempting to) [state offence e.g. by using the schedule form heading]

(Section 535. Attempts to commit offences)

Attempted to [*describe offence e.g. by using the schedule form*]

Form 347—Attempt to procure [state offence e.g. by using the schedule form heading]

(Section 539. Attempts to procure commission of criminal acts)

1. Attempted to procure EF—

- (a) to [*state the act or omission*] in Queensland, which had it been done, an offence would have been committed; *or*
- (b) to [*state the act or omission*] at [*place*], which had it been done, an offence would have been committed under the laws in force in [*place*].

2. [*Delete reference to place in the formal part, then continue*]:

At [*place outside Queensland*], attempted to procure EF to [*state the act or omission*] in Queensland, which had it been done, an offence would have been committed.

SCHEDULE 3 (continued)

Form 348—Preparing to commit a crime with explosive**(Section 540. Preparation to commit crimes with explosives etc.)**

Made (or Knowingly had in his (or her) possession) an explosive substance (or a dangerous (or noxious) engine (or instrument or thing)), with intent to use it to commit a crime (or for the purpose of enabling MN (or another person) to commit a crime with it).

CHAPTER 56—CONSPIRACY**Form 349—Conspiracy to commit [state offence e.g. by using the schedule form]****(Section 541. Conspiracy to commit crime)****(Section 542. Conspiracy to commit other offences)**

1. Conspired together (or with another person) to commit a crime (or offence), namely [*describe crime or offence e.g., for an offence, by using the schedule form heading*]

2. Conspired together (or with another person) to do an act [*describe the act*] at [*name the place where it was proposed to be done*], which had it been done in Queensland, would have been a crime (or offence), and which was an offence under the laws of [*place*].

Form 350—Conspiracy**(Section 543. Other conspiracies)**

1. Conspired together (or with another person) to prevent (or defeat) the execution (or enforcement) of the provisions of the [*state the statute*], namely that [*set out relevant provisions*].

2. Conspired together (or with another person) to cause an injury to the person of EF (or to the reputation of EF or to depreciate the value of [*describe the property*] the property of EF).

SCHEDULE 3 (continued)

3. Conspired together (*or* with another person) to prevent (*or* obstruct) the free and lawful disposition by EF of [*describe the property*] belonging to him (*or* her), for its fair value.

4. Conspired together (*or* with another person) to injure EF in his (*or* her) trade (*or* profession) of a [*describe it*].

5. Conspired together (*or* with another person) to prevent (*or* obstruct) by [*state the acts done*] the free and lawful exercise by EF of his (*or* her) trade (*or* profession *or* occupation) of a [*describe it*].

6. Conspired together (*or* with another person) to effect an unlawful purpose, namely (*describe the unlawful purpose*).

7. Conspired together (*or* with another person) to effect [*describe the lawful purpose*] by unlawful means, namely [*describe the means*].

CHAPTER 57—ACCESSORIES AFTER THE FACT

Form 351—Accessory after the fact to [*state offence e.g. by using the schedule form heading*]

(Section 10. Accessories after the fact)

(Section 307. Accessory after the fact to murder)

(Section 544. Accessories after the fact to crimes)

(Section 545. Accessories after the fact to misdemeanours and some other offences)

[*Describe the principal offence e.g. by using the schedule form, and continue as follows*]:

And AB on [*date*] at [*place*] received (*or* assisted) [*name the principal offender*], who to his (*or* her) knowledge was guilty of the crime (*or* the offence), to enable him (*or* her) to escape punishment.

SCHEDULE 4**FORMS FOR INDICTMENTS, INFORMATIONS AND
COMPLAINTS—STATEMENT OF OFFENCES
UNDER THE DRUGS MISUSE ACT 1986**

rules 13 and 15

Form 352—Trafficking in a dangerous drug**(Section 5. Trafficking in dangerous drugs)**

Carried on the business of unlawfully trafficking in the dangerous drug(s) [*name the drug(s)*].

**Form 353—Supplying a dangerous drug (with a circumstance of
aggravation)****(Section 6. Supplying dangerous drugs)**

1. Unlawfully supplied the dangerous drug [*name the drug*] to another person (*or* to EF).

2. Being an adult, unlawfully supplied the dangerous drug [*name the drug*] to EF, a minor (*or* an intellectually handicapped citizen *or* who was within an educational (*or* correctional) institution *or* who did not know that he (*or* she) was being supplied with the drug).

**Form 354—Receiving (or possessing) property obtained from
trafficking (or supplying)****(Section 7. Receiving or possessing property obtained from trafficking
or supplying)**

1. Received (*or* possessed) [*describe the property*] obtained from trafficking in a dangerous drug(s) (*or* supplying a dangerous drug), knowing (*or* believing) it to have been obtained from the trafficking or supply.

SCHEDULE 4 (continued)

2. Received (*or* possessed) [*describe the property*], knowing (*or* believing) it to have been obtained from the commission of an act done at [*place, not in Queensland*], which if it had been done in Queensland would have constituted the offence of trafficking in a dangerous drug(s), (*or* supplying a dangerous drug), and which was an offence under the laws in force there.

3. Received (*or* possessed) (part of) [*describe the property obtained*] knowing (*or* believing) that it was wholly (*or* in part) mortgaged (*or* pledged *or* exchanged *or* converted) from property obtained from trafficking in a dangerous drug (*or* supplying a dangerous drug).

4. Received (*or* possessed) [*describe the property obtained*] knowing (*or* believing) that it was wholly (*or* in part) mortgaged (*or* pledged *or* exchanged *or* converted) from property obtained from the commission of an act done at [*place, not in Queensland*], which if it had been done in Queensland would have constituted the offence of trafficking in a dangerous drug(s), (*or* supplying a dangerous drug), and which was an offence under the laws in force there.

Form 355—Producing a dangerous drug (in excess of [*state the quantity*])**(Section 8. Producing dangerous drugs)**

Unlawfully produced the dangerous drug [*name the drug*].

And the quantity of the dangerous drug was (*or* exceeded) [*state appropriate quantity according to schedules 3 and 4 of the Drugs Misuse Act 1986*].

Form 356—Publishing (*or* possessing) instructions for producing a dangerous drug**(Section 8A. Publishing or possessing instructions for producing dangerous drugs)**

1. Unlawfully published instructions about the way to produce the dangerous drug [*name the drug*].

SCHEDULE 4 (continued)

2. Unlawfully had possession of a document containing instructions about the way to produce the dangerous drug [*name the drug*].

Form 357—Possessing a dangerous drug (in excess of [*state the quantity*])

(Section 9. Possessing dangerous drugs)

Unlawfully had possession of the dangerous drug [*name the drug*].

And the quantity of the dangerous drug was (*or exceeded*) [*state appropriate quantity according to schedules 3 and 4 of the Drugs Misuse Act 1986*].

Form 358—Possessing a thing for use (*or used*) in connection with [*state offence e.g. by using the schedule form heading*]

(Section 10(1). Possessing things)

1. Had in his (*or her*) possession [*describe the thing*] for use in connection with the commission of the crime of [*state offence e.g. by using the schedule form heading*].

2. Had in his (*or her*) possession [*describe the thing*] that he (*or she*) had used in connection with the commission of the crime of [*state offence e.g. by using the schedule form heading*].

Form 359—Permitting use of a place for [*state offence e.g. by using the schedule form heading*]

(Section 11. Permitting use of place)

Being the occupier (*or concerned in the management or control*) of [*describe the place*] permitted it to be used for the commission of the crime of [*state offence e.g. by using the schedule form heading*].

SCHEDULE 4 (continued)

Form 360—Being a party to [state offence e.g. by using the schedule form heading]**(Section 12. Parties to offences committed outside Queensland)**

Was a party to an act done in [state place], which if it had been done in Queensland would have constituted the crime of [state offence e.g. by using the schedule form heading] and which was an offence under the laws of [place].

Form 361—Disclosing informers**(Section 46. Protection of informers)**

1. Disclosed the name of an informer.
2. Disclosed a particular (or particulars) that was (or were) likely to lead to the identification of an informer.

Form 362—Contravening an order prohibiting publication**(Section 48(2). Power to prohibit publication of proceedings)**

Acted in contravention of an order by [name the judge] prohibiting the publication of the proceedings (or part of the proceedings, or the name and address of a witness in the proceedings) of [describe].

SCHEDULE 5**FORMS FOR OTHER PROCEEDINGS**

rule 13

PART 1—APPLICATIONS**Form 363—General form of application to a court
(rule 16)**

In the [*state the court*] at [*state the place*]

The Queen against AB (*if an indictment has been presented*)

Re an application for [*state the order sought*] by [*name the applicant*]

I [*name of applicant*] of [*address*] apply to the [*state the court*] at [*state the place*] for [*state, briefly and precisely, the order sought, including under which legislative provision the order is sought*].

The application will be heard at [*time*] on [*date*] in [*state the court and place the court is sitting*].

Important notice

1. You must also attach to this application any supporting affidavits or other documents that you will be relying on.

2. A copy of this application and the supporting affidavits or other documents must be served on the respondent at least 2 clear days before the day on which the application is to be heard.

(Signed) Applicant or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Address and contact details of applicant (or applicant's lawyer)

Address:

Telephone:

Fax:

E-mail:

SCHEDULE 5 (continued)

**Form 364—Application for bail in the Supreme Court
(rule 25)**

In the Supreme Court of Queensland at [*state the place*]

Re an application for bail by [*name of applicant*]

I [*name of applicant*] of [*address*] apply to the Supreme Court of Queensland at [*place*] for an order that I be admitted to bail for the offence(s) of [*state offence e.g. by using the schedule form*].

The application will be heard at [*time*] on [*date*] in the Supreme Court at [*state the place*].

Important notice

1. You must also attach to this application any supporting affidavits or other documents that you will be relying on.

2. A copy of this application and the supporting affidavits or other documents must be served on the prosecutor at least 2 clear days before the day on which the application is to be heard, unless the prosecutor agrees to receiving them later.

3. If you have already applied for bail and been refused, you must state any change of circumstances you rely on since that previous application.

Have you previously applied for bail? Yes/No

Details of previous applications for bail: [*set out the dates and courts of your previous applications*]

My circumstances have changed since my previous application(s): [*describe, briefly and precisely, how your circumstances have changed*].

SCHEDULE 5 (continued)

(Signed) Applicant

Date:

Place:

Address and contact details of applicant (or applicant's lawyer)

Address:

Telephone:

Fax:

E-mail:

SCHEDULE 5 (continued)

Form 365—Application for bail in the court before which the indictment was presented**(rule 25)**

In the [*state the court*] at [*state the place*]

The Queen against AB

Re an application for bail by [*name of applicant*]

I [*name of applicant*] of [*address*] apply to the [*state the court*] at [*state the place*] to be admitted to bail for the offence(s) of [*state offence e.g. by using the schedule form*].

The application will be heard at [*time*] on [*date*] in [*name the court and place the court is sitting*].

Important notice

1. You must also attach to this application any supporting affidavits or other documents that you will be relying on.

2. A copy of this application and the supporting affidavits or other documents must be served on the prosecutor at least 2 clear days before the day on which the application is to be heard, unless the prosecutor agrees to receiving them later.

3. If you have already applied for bail and been refused, you must state any change of circumstances you rely on since that previous application.

Have you previously applied for bail? Yes/No

Details of previous applications for bail: [*set out the dates and courts of your previous applications*]

My circumstances have changed since my previous application(s): [*describe, briefly and precisely, how your circumstances have changed*].

SCHEDULE 5 (continued)

(Signed) Applicant

Date:

Place:

Address and contact details of applicant (or applicant's lawyer)

Address:

Telephone:

Fax:

E-mail:

SCHEDULE 5 (continued)

**Form 366—Application for variation of bail in the Supreme Court
(rule 25)**

In the Supreme Court of Queensland at [*state the place*]

Re an application for variation of bail by [*name of applicant*]

I [*name of applicant*] of [*address*] make application to the Supreme Court of Queensland at [*state the place*] for an order varying the bail granted to [*name of person given bail*].

The application will be heard at [*time*] on [*date*] in the Supreme Court at [*state the place*].

Details of bail order to be varied

1. Offences: [*state offence e.g. by using the schedule form*]
2. Date order made: [*when was the bail order made?*]
3. Court making the order: [*name the court and place where the order was made*]
4. Conditions of bail: [*set out the conditions on which bail was given*]
5. Condition to be varied: [*set out the condition you are asking the court to change*]

Important notice

1. You must also attach to this application any supporting affidavits or other documents that you will be relying on.

2. A copy of this application and the supporting affidavits or other documents must be served on the prosecutor at least 2 clear days before the day on which the application is to be heard, unless the prosecutor agrees to receiving them later.

SCHEDULE 5 (continued)

(Signed) Applicant

Date:

Place:

Address and contact details of applicant (or applicant's lawyer)

Address:

Telephone:

Fax:

E-mail:

SCHEDULE 5 (continued)

Form 367—Application for variation of bail in the court before which the indictment was presented**(rule 25)**

In the [*state the court*] at [*state the place*]

The Queen against AB

Re an application for variation of bail by [*name of applicant*]

I [*name of applicant*] of [*address*] apply to the [*state the court*] at [*state the place*] for an order varying the bail granted to (*name of person given bail*).

The application will be heard at [*time*] on [*date*] in [*name the court and place the court is sitting*].

Details of bail order to be varied

1. Offences: [*state offence e.g. by using the schedule form*]
2. Date: [*when was the bail order made?*]
3. Court: [*name the court and place where the order was made*]
4. Conditions of bail: [*set out the conditions on which bail was given*]
5. Condition to be varied: [*set out the condition you are asking the court to change*]

Important notice

1. You must also attach to this application any supporting affidavits or other documents that you will be relying on.

2. A copy of this application and the supporting affidavits or other documents must be served on the prosecutor at least 2 clear days before the day on which the application is to be heard, unless the prosecutor agrees to receiving them later.

SCHEDULE 5 (continued)

(Signed) Applicant

Date:

Place:

Address and contact details of applicant (or applicant's lawyer)

Address:

Telephone:

Fax:

E-mail:

SCHEDULE 5 (continued)

**Form 368—Application for a direction or ruling
(rule 42)**

In the [*state the court*] at [*state the place*]

The Queen against AB

Re an application for a direction or ruling by [*applicant*]

I [*name of applicant*] of [*address*] make application to the [*state the court*] at [*state the place*] for [*state, briefly and precisely, the nature of the direction or ruling sought*]

The application will be heard at [*time*] on [*date*] in [*name the court and place the court is sitting*].

The following witnesses or other persons are required to attend at the hearing of the application—

[*list the names and addresses of the witnesses*]

Important notice

1. A copy of this application must be served on the respondent at least 2 clear days before the day on which the application is to be heard, unless the respondent agrees to receiving them later.

2. You must state the nature of the direction or ruling sought and whether or not a witness or anyone else will be required to attend the hearing of the application.

(Signed) Applicant or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Address and contact details of applicant (or applicant's lawyer)

Address:

Telephone:

Fax:

E-mail:

SCHEDULE 5 (continued)

Form 369—Application to transmit summary charge to the Supreme or District Court**(sections 651 and 652)**In the Magistrates Court at [*place*]I, [*name of applicant*], of [*address*], do solemnly and sincerely declare that—

1. An indictment has been presented against me in the Supreme (*or* District) Court.

2. I am also charged with the following summary offence—[*set out offence(s)*]

3. It is my intention to plead guilty to these summary offences as charged.

4. I wish to have the charge(s) transferred to the Supreme (*or* District) Court for no other reason than to plead guilty to the charge(s).

5. I ask that the registrar of [*name the relevant Magistrates Court*] transmit the complaint (*or bench charge sheet*) to the registrar of the Supreme (*or* District) Court at [*place*].

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

Taken and declared before me, at [*place*]this day of [*month and year*]

Justice of the peace

SCHEDULE 5 (continued)

PART 2—ORDERS**Form 370—General form of order****(rule 8)**In the [*state the court*] at [*state the place*]The Queen against AB (*if an indictment has been presented*)

ORDER

Judge:

Date of order:

Document initiating this hearing:

It is ordered that: [*state terms of order*]

(Signed) Sheriff or registrar

SCHEDULE 5 (continued)

PART 3—INFORMATIONS BY PRIVATE PERSONS**Form 371—Application for leave to present information**

(section 686)

(rule 23)

In the Supreme Court of Queensland at [*state the place*]

I [*name of applicant*] of [*address*] apply to the Supreme Court of Queensland at [*state the place*] for leave to present an information against [*name of person to be accused*] of [*address of person to be accused*] for the offence(s) of [*state offence e.g. by using the schedule form*] in the Supreme (or District) Court at [*state the place*].

The application will be heard at [*time*] on [*date*] in the Supreme Court at [*state the place*].

Important notice

A copy of this application and any supporting documents must be served on the person to be accused at least 2 clear days before the day on which the application is to be heard, unless the person agrees to receiving them later.

(Signed) Applicant or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Form 372—Security by prosecutor
(section 687)

In the Supreme Court of Queensland

Re an information to be presented by leave of the court by [*name of prosecutor*] against [*name of accused person*] by order dated [*date of order*]

I [*name of prosecutor*] of [*address*] undertake that I will—

- (a) prosecute the information without delay; and
- (b) pay to [*name of accused person*] the costs incurred by the accused person in respect of his or her defence, that the court may order me to pay.

Charges: [*list the charges e.g. by using the schedule form*]

Amount of security:

(Signed) Prosecutor

Date:

Place:

(Signed as witness) Registrar (*or justice of the peace or commissioner for declarations*).

SCHEDULE 5 (continued)

Form 373—Summons to appear to information (to be indorsed on copy for service)**(sections 688 and 689)**

You [*name of accused person*] are required to appear in the Supreme Court at [*place*] on [*date*] and plead to this information within [*number of days*] of the date of service on you.

Important notice

- 1.** You must enter an appearance in the Supreme Court and file your plea in writing. You may enter your appearance personally or by your lawyer.
- 2.** You must deliver a copy of the plea to the prosecutor.
- 3.** If you do not file a plea, a plea of not guilty may be filed on your behalf, (*or, in the case of a misdemeanour*, judgment of conviction may, by leave of the court or a judge, be entered against you for want of a plea).

(Signed and sealed) Registrar

SCHEDULE 5 (continued)

Form 374—Notice of prosecutor's address to be indorsed on information

This information is presented by [*name of prosecutor*] of [*state address*], whose address for service is [*state address*].

SCHEDULE 5 (continued)

Form 375—Notice of trial**(section 691)**

In the Supreme Court of Queensland

The Queen on the prosecution of [*name the prosecutor*] against AB

[*Name of judge*] has appointed that the trial of this information will be held at the [*name the court*] at [*place*] on [*date*].

(Signed) Prosecutor or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Form 376—Notice to attend for sentence**(section 693)**

In the Supreme Court of Queensland

The Queen on the prosecution of [*name the prosecutor*] against AB

To [*name of accused person*]:

On [*date*] an information charging you with [*set out offences e.g. by using the schedule form heading*] was presented in the [*name of court*] at [*place*].

As you did not enter a plea to the information, judgment of conviction has been entered against you.

You are required to attend and receive the judgment of the [*name of court*] at [*place*] on [*date*].

Important notice

If you do not attend court to receive judgment, a warrant may be issued to arrest you and bring you before the court to receive judgment.

(Signed) Prosecutor or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Form 377—Warrant to arrest accused person who does not attend to receive sentence on judgment by default**(section 693)**

In the Supreme Court of Queensland

The Queen on the prosecution of [*name the prosecutor*] against AB

To all police officers in the State of Queensland:

Court: [*name and place of court*]

Judge:

Date of judgment of conviction:

Accused:

Address:

Date of birth:

Charges: [*list the charges e.g. by using the schedule form*]

[*Name of accused person*] failed to attend on [*date*] to receive judgment of the court. You are commanded to arrest [*name of accused person*] and bring him or her before the [*name and place of court*] to receive judgment.

(Signed) Justice

Date:

Place:

SCHEDULE 5 (continued)

PART 4—BENCH WARRANTS**Form 378—Bench warrant****(rule 28)**

In the [*state the court*] at [*state the place*]

The Queen against AB

To all police officers in the State of Queensland:

Accused:

Address:

Date of birth:

Offence(s): [*state offence, e.g. by using the schedule form or attach a copy of the indictment*]

You are commanded to arrest [*name of the accused person*] and to bring him or her before a court, including a Magistrate's Court, to be dealt with according to law.

(Signed) Judge or justice

Date:

Place:

SCHEDULE 5 (continued)

PART 5—SUBPOENAS**Form 379—Subpoena to attend court
(rule 29)**

In the [*state the court*] at [*state the place*]

The Queen against AB

To [*name of witness*] of [*address of witness*]:

You are required to attend the [*state the court*] at [*state the place*]

- (a) on [*date*] at [*time*]; or
- (b) on a date and at a time between [*the first day of the time period for which the subpoena is issued*] and [*the last day of the time period for which the subpoena is issued*] to be advised by the party who served this subpoena;

to—

- (c) give evidence; and/or [*delete that which does not apply*]
- (d) produce to the court the following—
[*describe the document or other thing to be produced*]

Important notice

1. A copy of form 381 (Notice to be served with subpoena) must be served with this subpoena.

2. If this subpoena is issued to cover a time period, then that time period can not exceed the period in which the proceeding is listed for hearing.

(Signed and sealed) Registrar (*or* for the Registrar)

Date:

Place:

SCHEDULE 5 (continued)

Address and contact details of party serving the subpoena—Party serving the subpoena: [*state name of party and contact officer*]

Address:

Telephone:

SCHEDULE 5 (continued)

Form 380—Subpoena to produce a document to a specified place or to a specified person**(rule 29)**

In the [*state the court*] at [*state the place*]

The Queen against AB

To [*name of witness*] of [*address of witness*]:

By order of [*state the court or judge*] on [*date of order*], you are required to produce to [*name of person*] at [*place*] on [*date*] at [*time*] the following documents—

[*describe the document to be produced*]

Important notice

A subpoena asking a person to produce a document at a stated place or to a stated person may only be issued after an order from the court (rule 29(5) *Criminal Practice Rules 1999*).

(Signed and sealed) Registrar (*or* for the Registrar)

Date:

Place:

Address and contact details of party serving the subpoena—

Party serving the subpoena: [*state name of party and contact officer*]

Address:

Telephone:

SCHEDULE 5 (continued)

Form 381—Notice to be served with subpoena**THIS IS A VERY IMPORTANT DOCUMENT —PLEASE READ IT CAREFULLY****Not all subpoenas will specify a particular date and time to attend.**

The courts often list a number of cases in the same time period. As cases are completed or adjourned others may progress up the list. The lists are constantly reviewed to maximise use of court time and to reduce the costs to the taxpayer. If you have not been given a definite date and time in the subpoena, the party serving the subpoena must, as soon as practicable, advise you when you are required to attend court or if your attendance is no longer required (rule 29 *Criminal Practice Rules 1999*).

Entitlement to travelling expenses

A person must comply with a subpoena only if an amount sufficient to meet the person's reasonable travelling expenses in complying with the subpoena, or a ticket or other travel document needed to comply with it, is tendered either when the subpoena is served or within a reasonable time before attendance under the subpoena is required (rule 35 *Criminal Practice Rules 1999*).

Application to set aside subpoena

A person who has been served with the subpoena may apply to the court for an order to set aside the subpoena. If it is a subpoena to produce documents, an application may also be made to narrow its scope (eg. by reducing the number of documents to be produced).

If the application to set aside or narrow the subpoena is successful, the applicant may apply to the court for an order that all or part of the applicant's costs incurred in applying to have the subpoena set aside or narrowed be paid by—

- (a) the party who served the subpoena; or

SCHEDULE 5 (continued)

- (b) if the court finds the conduct of the party's lawyer in serving the subpoena was oppressive, vexatious or an abuse of process—the party's lawyer (rules 33 to 35 *Criminal Practice Rules 1999*).

The applicant must serve a copy of the application to set aside a subpoena on the person who served the subpoena (rule 33 *Criminal Practice Rules 1999*).

Subpoena to produce medical or hospital records or records of a department of government or a statutory authority of the Commonwealth or State

If a subpoena requires the production of a medical record, hospital record or a record of a department of government, or a statutory authority of the Commonwealth or State, the served person may comply by giving the record to the proper officer of the court in a sealed envelope clearly marked "court exhibits" or something similar. The record is to be given to the proper officer at least 1 clear day before the time stated for production in the subpoena (rule 30 *Criminal Practice Rules 1999*).

If you wish to object to the record or part of it being inspected or copied you must give the proper officer a written statement stating the grounds for the objection (rule 31 *Criminal Practice Rules 1999*).

SCHEDULE 5 (continued)

PART 6—FORMS UNDER CRIMINAL APPEAL RULES**Form 382—Judge’s certificate****(section 668D(b))****(rules 66 and 118)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

I, [*name of trial judge*] of the [*state the court*] at [*place*] certify that this case is a fit case for an appeal by [*name of convicted person*] to the Court of Appeal under the *Criminal Code*, section 668D.

1. Details of conviction

Date:

Place:

Offence(s): [*set out offences e.g. by using the schedule form or attach a copy of the indictment*]

2. Grounds on which certificate is given

[*state, briefly and precisely, the grounds on which the certificate is given*]

(Signed) Trial judge

Date:

Place:

SCHEDULE 5 (continued)

Form 383—Notice of appeal or application for leave to appeal against conviction or sentence (for appeals other than under the District Court Act 1967, s 118)**(rules 65 and 66)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]I, [*name of appellant or applicant*], desire to appeal to the Court of Appeal against—*(a) my conviction (*if you wish to appeal against your conviction*); or*(b) my sentence (*if you wish to appeal against your sentence*); or*(c) my conviction and my sentence (*if you wish to appeal against your conviction and your sentence*).*[*cross out the paragraphs that do not apply*].**1. The details of my conviction are—**Court: [*name the court appealed from*]

Judge:

Date convicted:

Date sentence passed:

Offence(s) of which convicted: [*state offence e.g. by using the schedule form*]

Sentence:

Address: (*if in custody, name the prison or detention centre*)

Lawyer:

SCHEDULE 5 (continued)

2. The grounds of my appeal (or application) are—

[You must set out, briefly and precisely, the grounds or reasons why you say your conviction should be quashed or your sentence reduced].

Do you wish to be present when the court considers your appeal or application? Yes/No

Important notice

1. Unless special grounds are shown in form 395 (Application for leave to adduce evidence (rule 108)) and are made out, the application or appeal will be decided on the same material that was before the trial or sentencing judge.

2. If you change your address, or place of custody, or your legal representatives, you must notify the registrar in writing.

3. If this notice is signed more than 1 calendar month after the conviction or sentence appealed against, you must also complete form 385 (Notice of application for extension of time within which to appeal) and attach it to this notice (rules 65 and 66).

(Signed) Appellant, applicant or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Form 384—Notice of application for leave to appeal under the District Court Act 1967, s 118**(rule 84)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

I, [*name of appellant or applicant*], desire to appeal to the Court of Appeal against a judgment of the District Court.

1. The details of the judgment appealed against are—

Date of judgment:

Offence(s) of which convicted: [*state offence e.g. by using the schedule form*]

Part of judgment appealed against: [*state the operative part of the judgment appealed against*]

Address: [*if in custody, name the prison or detention centre*]

Lawyer:

2. The grounds of my application are—

[*You must set out, briefly and precisely, the grounds or reasons why you say the judgment should be set aside or changed*].

3. The orders I will seek on the appeal are that—

- (a) the appeal be allowed;
- (b) the judgment be set aside or changed;
- (c) [*insert details of other orders sought, including, for example, any order sought in relation to costs*].

SCHEDULE 5 (continued)

4. The reasons why the Court should grant leave for this further appeal to be brought are—

[state the reasons]

Do you wish to be present when the court considers your appeal or application? Yes/No

Important notice

1. Unless special grounds are shown in form 395 (Application for leave to adduce evidence (rule 108)) and are made out, the application will be decided on the same material that was before the trial or sentencing judge.

2. If you change your address, or place of custody, or your legal representatives, you must notify the registrar in writing.

3. If this notice is signed more than 1 calendar month after the judgment appealed against, you must also complete form 385 (Notice of application for extension of time within which to appeal) and attach it to this notice (rule 85).

(Signed) Appellant, applicant or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Form 385—Notice of application for extension of time within which to appeal**(rule 85)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

I, [*name of appellant or applicant*], apply to the Court of Appeal for an extension of the time within which I may give notice of appeal (*or* notice of application for leave to appeal).

1. The details of my conviction are—

Court: [*name the court appealed from*]

Judge:

Date when convicted:

Date when sentence passed:

Offence(s) of which convicted: [*state offence e.g. by using the schedule form*]

Sentence:

Address: [*if in custody, name the prison or detention centre*]

Lawyer:

2. The grounds of my application are—

[*You must set out, briefly and precisely, the reason for the delay in giving the notice, and the grounds on which you say the court should extend the time*].

Important notice

1. If you change your address, or place of custody, or your legal representatives, you must notify the registrar in writing.

SCHEDULE 5 (continued)

2. This notice must be attached to form 383 (Notice of appeal or application for leave to appeal against conviction or sentence) (rules 65 and 66).

(Signed) Appellant, applicant or lawyer

Date:

Place:

SCHEDULE 5 (continued)

Form 386—Notice of application for extension of time within which to file notice of application for leave to appeal under the District Court Act 1967, s 118**(rule 85)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

I, [*name of applicant*], apply to the Court of Appeal for an extension of the time within which I may give notice of application for leave to appeal.

1. The details of the judgment appealed against are—

Date of judgment:

Offence(s) of which convicted: [*state offence e.g. by using the schedule form*]

Part of judgment appealed against: [*state the operative part of the judgment appealed against*]

Address: [*if in custody, name the prison or detention centre*]

Lawyer:

2. The grounds of my application are—

[*You must set out, briefly and precisely, the reason for the delay in giving the notice, and the grounds on which you say the court should extend the time*].

Important notice

1. If you change your address, or place of custody, or your legal representatives, you must notify the registrar in writing.

2. This notice must be attached to form 384 (Notice of application for leave to appeal under the *District Court Act 1967*, s 118) (rule 85).

SCHEDULE 5 (continued)

(Signed) Appellant, applicant or lawyer

Date:

Place:

SCHEDULE 5 (continued)

**Form 387—Notice of abandonment of appeal or application
(rules 69 and 70)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

I, [*name of appellant or applicant*], abandon my appeal (*or application*).

1. The details of my appeal (or application) are—

Date notice of appeal (*or application*) filed:

Court of Appeal number: [*insert the number given to the notice by the registrar*]

2. The details of my conviction are—

Court: [*name the court appealed from*]

Judge:

Date when convicted:

Date when sentence passed:

Offence(s) of which convicted: [*state offence e.g. by using the schedule form*]

Sentence:

Address: [*if in custody, name the prison or detention centre*]

Lawyer:

Important notice

Your appeal or application is taken to be refused or dismissed by the court when this notice is given to the registrar (rules 69 and 70).

SCHEDULE 5 (continued)

(Signed) Appellant or applicant

Date:

Place:

SCHEDULE 5 (continued)

**Form 388—Notice of abandonment of application
(rule 86)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

I, [*name of applicant*], abandon my application.

1. The details of my application are—

Date notice of application filed:

Court of Appeal number: [*insert the number given to the notice by the registrar*]

2. The details of the judgment appealed against are—

Date of judgment:

Offence(s) of which convicted: [*state offence e.g. by using the schedule form*]

Part of judgment appealed against: [*state the operative part of the judgment appealed against*]

Address: (*if in custody, name the prison or detention centre*)

Lawyer:

Important notice

Your application is taken to be refused by the court when this notice is given to the registrar (rule 86).

(Signed) Appellant or applicant

Date:

Place:

SCHEDULE 5 (continued)

Form 389—Notice of order staying execution of order quashing conviction under section 672(1)**(rule 78)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

To [*name of appellant*]:

To the general manager of [*name of prison*] (*or person in charge of [place other than prison]*):

To the chief executive (corrective services):

The Court of Appeal has, on an application made on behalf of the Crown, made an order staying the execution, for a period of _____ days, of the order quashing the conviction of [*name of appellant*], and has made a further order for the return to his or her former custody, (*or an order for his or her admission to bail on the following conditions [set out conditions of bail]*), for the time during which the stay has been directed.

(Signed) Registrar

Date:

Place:

SCHEDULE 5 (continued)

Form 390—Notice of order for detention or admission to bail pending appeal to High Court under section 672(2)**(rule 78)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

To [*name of appellant*]:

To the general manager of [*name of prison*] (*or person in charge of [place other than prison]*):

To the chief executive (corrective services):

The Court of Appeal has, on the application of the Crown law officer, made an order for the detention (*or admission to bail*) of [*name of appellant*] pending the hearing of an appeal to the High Court.

Conditions of bail: [*delete if not applicable*]

Important notice to appellant

If at any time you consider yourself wronged by any failure to diligently prosecute the appeal, you may apply to the Court of Appeal for an order for the immediate execution of the original order of the court quashing your conviction, for your immediate release, and for the payment of compensation that the court considers appropriate.

(Signed) Registrar

Date:

Place:

SCHEDULE 5 (continued)

**Form 391—Notice of Attorney-General’s appeal against sentence
(rule 81)**

In the Court of Appeal of Queensland

The Queen v. AB [*respondent*]

I [*name of Attorney-General*], Attorney-General of Queensland, desire to appeal to the Court of Appeal against the sentence imposed on [*name of respondent*].

1. Details of sentence—Court: [*name the court of trial*]

Judge:

Date when convicted:

Date when sentence passed:

Offence(s) of which convicted: [*state offence e.g. by using the schedule form*]

Sentence:

2. Grounds of appeal—

[*You must set out, briefly and precisely, the grounds of appeal*].

(Signed) Attorney-General

Date:

Place:

SCHEDULE 5 (continued)

Form 392—Notice of Attorney-General's reference under the Criminal Code, section 669A**(rule 82)**

In the Court of Appeal of Queensland

In re [*name of person tried*]

I [*name of Attorney-General*], Attorney-General of Queensland, wish to refer a point of law to the Court of Appeal in relation to the trial of [*name of person tried*].

1. Details of the trial—Court: [*name the court of trial*]

Judge:

Date of trial:

Offence(s) on which person was tried: [*state offence e.g. by using the schedule form*]**2. Points of law referred—**

[*You must set out, precisely and comprehensively, the point(s) of law referred*]

(Signed) Attorney-General

Date:

Place:

SCHEDULE 5 (continued)

**Form 393—Notice to appellant of judge's decision under section 671L
(rule 105)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

A judge of the Court of Appeal having considered your application for—

- *(a) leave to appeal; and
- *(b) for extension of time within which notice of appeal or of application for leave to appeal may be given; and
- *(c) permission to be present at the hearing of any proceedings in relation to your appeal; and
- *(d) permission to call witnesses or adduce evidence; and
- *(e) [*describe the application under the Code, section 671B(1)(a), (b), (d) or (e)*],

has refused (*or granted*) the application.*[*Cross out paragraphs that do not apply*]**Important notice if application refused**

If you wish to have your applications determined by the Court of Appeal, you must complete the enclosed form 394 (Notice of application for rehearing by Court of Appeal under section 671L) and return it to me within 7 days of the date of this notice.

(Signed) Registrar

Date:

Place:

SCHEDULE 5 (continued)

Form 394—Notice of application for rehearing by Court of Appeal under section 671L**(rule 106)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

I, [*name of appellant or applicant*] having received your notification that my following application(s) has or have been refused—

- *(a) leave to appeal;
- *(b) extension of time within which notice of appeal or application for leave to appeal may be given;
- *(c) permission for me to be present at the hearing of any proceedings in relation to my appeal;
- *(d) permission to call witnesses or adduce evidence;
- *(e) [*describe the application under the Code, section 671B(1) (a), (b), (d) or (e)*],

wish to have my application(s) considered and determined by the Court of Appeal.

*[*Cross out paragraphs that do not apply*]

My lawyer is [*state lawyer's name*] (or I am not legally represented).

(Signed) Appellant or applicant

Date:

Place:

SCHEDULE 5 (continued)

**Form 395—Application for leave to adduce evidence
(rule 108)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant or applicant*]

I, [*name of appellant or applicant*], having appealed (*or applied for leave to appeal*) to the Court of Appeal, apply to the court—

- **(a)* for leave to call the following witnesses; or
- **(b)* for an order that the following witnesses attend court and be examined on my behalf; or
- **(c)* for an order for the production of a document, exhibit or other thing.

*[*Cross out paragraphs that do not apply*]

Details of the evidence—

[*The names of the witnesses or the nature of the evidence to be adduced must be listed here*]

Name and address of witness:

Was the witness called at your trial? Yes/No

If the witness was not called at your trial, why wasn't the witness called?

Nature of the evidence to be adduced: [*if you are not applying for leave to call a witness, describe what other evidence you want to adduce*]

Important Notice

1. You must attach to this application an affidavit of the witness or witnesses giving or producing the evidence.

2. The affidavit must state the following—

- (a) for evidence that is to be given by the witness—what the evidence is;

SCHEDULE 5 (continued)

- (b) for evidence that is to be produced by the witness—the nature of the evidence.

(Signed) Appellant or applicant

Date:

Place:

SCHEDULE 5 (continued)

**Form 396—Order to witness to attend court for examination
(rule 109)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

To [*name of proposed witness*] of [*address of proposed witness*]:

The Court of Appeal has ordered that you attend and be examined as a witness before the court on the appeal of [*name of appellant*] on the day of [*month and year*] at am/pm.

You are also required to bring with you the following—[*list any documents or things the witness has been ordered to produce*].

(Signed) Registrar

Date:

Place:

SCHEDULE 5 (continued)

Form 397—Order to witness to attend before examiner for examination**(rule 109)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

To [*name of proposed witness*] of [*address of proposed witness*]:

The Court of Appeal has ordered that you attend and be examined as a witness on the appeal of [*name of appellant*] and your deposition taken for the use of the court.

You must attend before [*name of examiner*] at [*place of examination*] on the day of [*month and year*] at am/pm.

You are also required to bring with you the following—[*list any documents or things the witness has been ordered to produce*].

(Signed) Registrar

Date:

Place:

 SCHEDULE 5 (continued)

**Form 398—Registrar's certificate of expenses
(rule 121)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

To the Crown law officer:

I certify that—

- (a) I have allowed as expenses for this appeal the amounts stated in column 3 of the following table; and
- (b) an amount stated in column 3 is payable to the person stated opposite the amount in column 1.

column 1	column 2	column 3
Name and address of payee	How expenses incurred	Amount allowed

(Signed) Registrar

Date:

Place:

SCHEDULE 5 (continued)

Form 399—Order to general manager of a prison after dismissal of appeal to take appellant on bail into custody**(rule 78)**

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

To the general manager of a prison:

1. Details of conviction—

Court:

Judge:

Date:

Offences:

Sentence:

2. Details of appeal—

Date of release on bail:

Date appeal heard:

As the appeal has been dismissed, you are ordered to receive [*name of appellant*] into custody to serve the sentence.

(Signed) Registrar

Date:

Place:

SCHEDULE 5 (continued)

Form 400—Order to general manager of a prison after High Court reverses the order of the Court of Appeal quashing a conviction

In the Court of Appeal of Queensland

The Queen v. AB [*appellant*]

To the general manager of a prison:

1. Details of original conviction—

Court:

Judge:

Date:

Offences: [*set out offences e.g. by using the schedule form*]

Sentence:

2. Details of appeal to Court of Appeal—

Date conviction quashed:

3. Details of Appeal to High Court—

Date appeal upheld and order of the Court of Appeal reversed:

You are ordered to receive [*name of appellant*] into custody to serve the original sentence.

(Signed) Registrar

Date:

Place:

SCHEDULE 5 (continued)

PART 7—OTHER FORMS**Form 401—Verdict and judgment record
(rule 62)**In the [*state the court*] at [*state the place*]

The Queen against AB

Details of trial, sentence, or other dealing by the court—Charge or charges: [*state offence or offences e.g. by using the schedule form*]Legislative provision under which charged: [*state citation of legislation and section number*]

Plea:

Date of plea:

Verdict:

Date of verdict:

Name of judge:

Judgment or order of the court:

Date of judgment or order:

(Signed) Sheriff or registrar

Date:

Place:

SCHEDULE 5 (continued)

Form 402—Application for approval for examination of a person in custody by legally qualified medical practitioner and/or legally qualified dentist**(section 259)**

In the [state district] Magistrates Court, Queensland

I, [state name], police officer, of [address] make oath and say as follows—

1. I am a police officer for the State of Queensland.

2. [State name of the accused person] is in lawful custody on a charge(s) of committing the offence(s) of [state offence e.g. by using the schedule form].

3. I have reasonable grounds for believing that—

*(a) a legally qualified medical practitioner doing a following act may afford evidence of the commission of the offence(s)—

*(i) examining the person of the accused person, including the orifices of the accused person's body;

*(ii) taking samples of the accused person's blood, saliva or hair;

*(iii) requiring the accused person to provide a sample of the accused person's urine;

*(iv) collecting from the accused person's person, including from the orifices of the accused person's body, any substance or thing, the collection of which would be unlikely to cause bodily harm to the accused person if cooperation is given;

*(b) a legally qualified dentist doing a following act may afford evidence of the commission of the offence(s)—

*(i) examining the accused person's mouth;

*(ii) taking samples of the accused person's saliva;

*(iii) taking dental impressions from the accused person.

*[Cross out whichever does not apply].

4. The grounds for my belief are as follows [set out fully]—

 SCHEDULE 5 (continued)

5. I have informed the accused person of his or her right to have present while the act is being done 2 persons of the accused person's choice.

6. I apply for approval for the acts stated in this application to be done.

SWORN by the applicant

at [*place*] this day of [*month and year*]

before me

Justice of the peace

Form 403—Approval for examination of a person in custody by legally qualified medical practitioner or dentist

(section 259)

In the [*state district*] Magistrates Court, Queensland.

I, [*state name*], stipendiary magistrate—

(a) am satisfied that—

- (i) [*state name*], the accused person, is in lawful custody on a charge of committing the offence(s) of [*state offence e.g. by using the schedule form*]; and
- (ii) there are reasonable grounds for believing that the doing of the acts mentioned in paragraphs (b) and (c) may afford evidence of the commission of the offence(s); and
- (iii) the accused person has been informed of the accused person's right to have present while the act is being done 2 persons of the accused person's choice; and

*(b) approve the doing of the following acts by a legally qualified medical practitioner—

- *(i) examining the person of the accused person, including the orifices of the accused person's body;
- *(ii) taking samples of the accused person's blood, saliva or hair;

SCHEDULE 5 (continued)

- * (iii) requiring the accused person to provide a sample of the accused person's urine;
- * (iv) collecting from the accused person's person, including from the orifices of the accused person's body, any substance or thing, the collection of which would be unlikely to cause bodily harm to the accused person if cooperation is given; and
- * (c) approve the doing of the following acts by a legally qualified dentist—
 - * (i) examining the accused person's mouth;
 - * (ii) taking samples of the accused person's saliva;
 - * (iii) taking dental impressions from the accused person.

*[Cross out whichever does not apply].

(Signed) Stipendiary magistrate

Date:

Place:

Important notice

Before any of the acts mentioned in paragraphs (b) and (c) are done, the accused person must be given a copy of this approval and informed of its contents.

Form 404—Affidavit of service

In the [state the court] at [state the place]

The Queen against AB

SCHEDULE 5 (continued)

I, [*state name of person serving the document, (including rank if the person is a police officer)*] of [*address (or station if the person is a police officer)*] make oath and say as follows—

1. At [*time*] on [*date*] at [*place of service*] I served [*name of person served*] with the following documents [*describe the documents served*]—

2. The method of service was by [*state how served eg. personally handed to person*].

3. Copies of the documents served are attached and marked with the letter A.

SWORN by the deponent

at [*place*] this day of [*month and year*]

before me

Justice of the peace

SCHEDULE 6**DICTIONARY**

rule 3

“accused person” means—

- (a) for chapter 5—see rule 22; or
- (b) otherwise—
 - (i) a person who has been charged with an indictable offence and committed to a court for trial; or
 - (ii) a person against whom an indictment has been presented.

“appeal”, for chapter, 15, part 6, see rule 91.

“appeal period” means—

- (a) the period in which a notice of appeal or notice of application for leave to appeal must be given under the Code, section 671; or
- (b) for an appeal under the *District Court Act 1967*, section 118, 1 calendar month after the decision appealed from.

“appellant” means a person who starts an appeal or applies for leave to appeal.

“application”, for chapter 5, see rule 22.

“chief executive (corrective services)” see the *Corrective Services (Administration) Act 1988*, section 7(6).³⁴

“Code” means the Criminal Code.

³⁴ *Corrective Services (Administration) Act 1988*, section 7(6)—

‘(6) In any Act, a reference to the chief executive (corrective services) is a reference to—

- (a) the chief executive; or
- (b) a person or body taken to be the chief executive under section 23C(5).’.

SCHEDULE 6 (continued)

“conviction” means a finding of guilt, or the acceptance of a plea of guilty, by a court.

“coroner” means a coroner or deputy coroner under the *Coroners Act 1958*.

“court”, for a proceeding—

- (a) for chapters 1, 3 and 12 and chapter 8, rules 30, 31, 33 and 34—means the Court of Appeal, the Supreme Court, the District Court, a Magistrates Court, a judge of appeal, or a judge of the Supreme Court or District Court, hearing the proceeding; or
- (b) for chapter 11, see rule 52(1) and (2); or
- (c) for chapter 15, see rule 63; or
- (d) otherwise, the Court of Appeal, the Supreme Court, the District Court, a judge of appeal, or a judge of the Supreme Court or District Court, hearing the proceeding.

“court of trial” means any court from whose finding, sentence, or other decision a person is entitled, under the Criminal Code, to appeal or to apply for leave to appeal.

“director of public prosecutions” means—

- (a) for an indictment presented by the Crown in right of the State, the Director of Public Prosecutions for Queensland; or
- (b) for an indictment presented by the Commonwealth, the Director of Public Prosecutions for the Commonwealth.

“examiner”, see rule 109(1).

“exhibit” means a document or anything else produced in evidence at a trial.

“indictment”, for chapters 6 to 8, 10, 12, 14 and 15, includes an information presented by a private person against someone else with the Supreme Court’s leave.

“judge”, for chapter 15, see rule 63.

“Jury Act” means the *Jury Act 1995*.

SCHEDULE 6 (continued)

“lawyer” includes a firm of solicitors and Legal Aid Queensland.

“party”—

- (a) for chapter 8, see rule 29(2); or
- (b) for chapter 9, see rule 41; or
- (c) for chapter 15, part 6, see rule 91.

“present”, before a court or judge, includes present by way of telephone, audio or video link or another form of telecommunication.

“private prosecutor”, for chapter 15, part 5, see rule 87.

“proper officer”, for chapter 10, see rule 44.

“proper officer”, of the court, means—

- (a) for the Supreme Court—the sheriff or the far northern, northern or central sheriff, the deputy sheriff or the registrar; or
- (b) for the District Court—the court’s registrar; or
- (c) for a Magistrates Court—the clerk of the court.

“prosecutor” means—

- (a) for a proceeding in the Court of Appeal, the Supreme Court or the District Court—
 - (i) the director of public prosecutions; or
 - (ii) a private prosecutor; or
- (b) for a proceeding in a Magistrates Court—the director of public prosecutions or a complainant.

“record” includes part of a record.

“registrar” includes—

- (a) for the Court of Appeal—the senior deputy registrar of the Court of Appeal; and
- (b) for the District Court—the deputy registrar of the District Court.

SCHEDULE 6 (continued)

“respondent”, in an appeal, means—

- (a) a person who is defending the appeal; or
- (b) a cross-appellant.

“schedule form”, for an offence, means the form in schedule 3 or 4 for the offence.

“subpoena”, for a Magistrates Court, means a summons to a person to produce a document to the court under the *Justices Act 1886*, section 83.

“trial” includes a proceeding in which a person is to be sentenced.

“trial judge”—

- (a) generally—means the judge who presides or presided at the court of trial; and
- (b) for chapters 11 and 12—includes a magistrate and 2 justices constituting a Magistrates Court.

“trial prosecutor”, for chapter 15, part 5, see rule 87.

“trial transcript” means the transcript of the trial proceeding prepared by the State Reporting Bureau.

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Criminal Practice Rules 1999 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

4 List of legislation

Criminal Practice Rules 1999 SL No. 112

made by the Governor in Council on 10 June 1999

notfd gaz 11 June 1999 pp 675–8

rr 1–2 commenced on date of notification

remaining provisions commenced 1 July 1999 (see r 2)

SIA pts 5, 7 do not apply (see 1991 No. 68 s 118B(1))