

Criminal Code (Criminal Organisations) Amendment Regulation (No. 2) 2016

Explanatory notes for SL 2016 No. 198

made under the

Criminal Code Act 1899

General Outline

Short Title

Criminal Code (Criminal Organisations) Amendment Regulation (No. 2) 2016

Authorising law

Sections 60B and 708 of the Criminal Code.

Policy objectives and the reasons for them

Section 60B of the Criminal Code contains an offence which prohibits a participant in a criminal organisation from entering or attempting to enter a prescribed place, or attending or attempting to attend a prescribed event. The term 'prescribed place' is defined to mean a place declared by regulation.

Section 3 of the *Criminal Code (Criminal Organisations) Regulation 2013* contains a list of addresses that are declared to be 'prescribed places' for the purposes of section 60B of the Criminal Code.

The objective of the amendment regulation is to remove an address from the list of declared prescribed places that relate to the offence contained in section 60B of the Criminal Code. The advice of the Queensland Police Service is that this address is no longer relevant for the purposes of section 3 of the *Criminal Code (Criminal Organisations) Regulation 2013*.

Achievement of policy objectives

The policy objective is achieved by amending section 3 of the *Criminal Code (Criminal Organisations) Regulation 2013* which contains the list of prescribed places, to remove an address.

Consistency with policy objectives of authorising law

The policy objective of section 60B of the Criminal Code is the provision of an offence that prohibits certain conduct by participants in a criminal organisation. The amendment regulation is consistent with the policy objectives of this authorising law.

Inconsistency with policy objectives of other legislation

The amendment regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

There are negligible costs associated with the implementation of the amendment regulation.

Consistency with fundamental legislative principles

The amendment regulation is consistent with fundamental legislative principles.

Consultation

The amendment regulation is excluded from the Regulatory Impact Analysis system on the basis it is a regulatory proposal relating to police powers, general criminal laws, the administration of courts and tribunals and corrective services.