

Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024

Explanatory notes for SL 2024 No. 183

made under the

Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024

General Outline

Short title

Proclamation commencing provisions of the *Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024*.

Authorising law

Section 2 of the *Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024*.

Policy objectives and the reasons for them

The objective of the proclamation is to commence provisions of the *Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024* (Amendment Act). The provisions commenced by the proclamation:

- amend section 43A of the *Police Powers and Responsibilities Act 2000* to authorise a police officer to:
 - request to see proof of age and require a person to produce a thing if the officer sees or reasonably suspects a person under the age of 18 has been sold a controlled item, as defined in the *Summary Offences Act 2005*; and
 - seize the thing in certain circumstances; and
- amend the *Summary Offences Act 2005* to:
 - prohibit the sale of controlled items to minors;
 - introduce an offence for a person to falsely represent themselves as being 18 years or over for the purpose of being sold a control item;
 - require retailers to display signage advertising the legal prohibition against the sale of controlled items to minors;

- prohibit controlled items from being sold or advertised in a way that suggests the item is suitable for combat, intended to be used for violence, or likely to stimulate or encourage violent or criminal behaviour involving the item; and
- impose an obligation upon suppliers of particular controlled items to safely secure the items at retail locations.

Achievement of policy objectives

The policy objective is achieved by fixing a commencement date of 1 September 2024 for the following provisions mentioned in section 2 of the Amendment Act:

- part 2 (Amendment of *Police Powers and Responsibilities Act 2000*);
- sections 6 to 11; and
- section 12.

Consistency with policy objectives of authorising law

The proclamation is consistent with the policy objectives of the Amendment Act.

Inconsistency with policy objectives of other legislation

The proclamation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

Commencing the specified provisions of the Amendment Act will reduce the accessibility of controlled items to young people, disrupt and deter violent offences and curb the notoriety of weapon possession.

The Explanatory Notes for the Amendment Act noted that any costs incurred through the implementation of amendments will be met through existing budgets. The commencement of the provisions is not expected to present any additional costs for government.

Consistency with fundamental legislative principles

The proclamation is consistent with the fundamental legislative principles as defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The proclamation commences certain amendments in the Amendment Act and is minor and machinery in nature. No regulatory impact analysis is required under the Queensland Better Regulation Policy.