



Queensland

Community Services Legislation Amendment and Repeal Regulation (No.1) 2004

Subordinate Legislation 2004 No. 318

made under the

Community Services (Aborigines) Act 1984

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Community Services Legislation Amendment and Repeal Regulation (No. 1) 2004*.

2 Commencement

- (1) This regulation, other than section 23, commences on 1 January 2005.
- (2) Section 23 commences on 1 March 2005.

Part 2 Amendment of Community Services (Aborigines) Regulation 1998

3 Regulation amended in pt 2

This part amends the *Community Services (Aborigines) Regulation 1998*.

4 Replacement of ss 1 and 2

Sections 1 and 2—
omit, insert—

‘1 Short title

‘This regulation may be cited as the *Aboriginal Communities (Justice and Land Matters) Regulation 1998*.

‘2 Definitions

‘The dictionary in schedule 2 defines particular words used in this regulation.’.

5 Omission of pts 2–10 and 11

Parts 2 to 10 and 11—

omit.

6 Omission of ss 66 and 70

Sections 66 and 70—

omit.

7 Insertion of new pt 13

After section 71—

insert—

‘Part 13 Provision for reprinting regulation

‘72 Numbering and renumbering of regulation

‘In the next reprint of this regulation produced under the *Reprints Act 1992*, the provisions of this regulation must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.’.

8 Omission of schs 1 and 1A

Schedules 1 and 1A—

omit.

9 Amendment of sch 1C (Doomadgee Community Justice Group)

(1) Schedule 1C, section 1, definition *council*, ‘Aboriginal’—

omit, insert—

‘Shire’.

- (2) Schedule 1C, section 2, ‘Doomadgee Aboriginal Council area’—

omit, insert—

‘community government area of the Doomadgee Shire Council’.

10 Amendment of sch 1D (Napranum Community Justice Group)

- (1) Schedule 1D, section 1, definition *council*, ‘Aboriginal’—

omit, insert—

‘Shire’.

- (2) Schedule 1D, section 1, definition *Torres Strait Islander grouping* and section 2, ‘Napranum Aboriginal Council area’—

omit, insert—

‘community government area of the Napranum Shire Council’.

11 Amendment of sch 1E (Injinoo Community Justice Group)

- (1) Schedule 1E, section 1, definition *council*, ‘Aboriginal’—

omit, insert—

‘Shire’.

- (2) Schedule 1E, section 1, definition *main indigenous social grouping* and section 2, ‘Injinoo Aboriginal Council area’—

omit, insert—

‘community government area of the Injinoo Shire Council’.

- (3) Schedule 1E, section 4, ‘council area’—

omit, insert—

‘community government area of the Injinoo Shire Council’.

12 Amendment of sch 1F (Kowanyama Community Justice Group)

- (1) Schedule 1F, section 1, definition *council*, ‘Aboriginal’—
omit, insert—
‘Shire’.
- (2) Schedule 1F, section 2, ‘Kowanyama Aboriginal Council area’—
omit, insert—
‘community government area of the Kowanyama Shire Council’.

13 Amendment of sch 1G (Lockhart River Community Justice Group)

- (1) Schedule 1G, section 1, definition *council*, ‘Aboriginal’—
omit, insert—
‘Shire’.
- (2) Schedule 1G, section 2, from ‘Lockhart’—
omit, insert—
‘community government area of the Lockhart River Shire Council is Wulpumu Justice Group.’.
- (3) Schedule 1G, section 4(b), ‘council area’—
omit, insert—
‘community government area of the Lockhart River Shire Council’.

14 Amendment of sch 1H (Pormpuraaw Community Justice Group)

- Schedule 1H, sections 2 and 4(b), ‘Pormpuraaw Aboriginal Council area’—
omit, insert—
‘community government area of the Pormpuraaw Shire Council’.

15 Amendment of sch 1I (Umagico Community Justice Group)

- (1) Schedule 1I, section 1, definition *council*, ‘Aboriginal’—
omit, insert—
‘Shire’.
- (2) Schedule 1I, section 1, definition *main indigenous social grouping*, ‘council area’—
omit, insert—
‘community government area of the Umagico Shire Council’.
- (3) Schedule 1I, sections 2 and 4, ‘Umagico Aboriginal Council area’—
omit, insert—
‘community government area of the Umagico Shire Council’.

16 Amendment of sch 1J (Woorabinda Community Justice Group)

- (1) Schedule 1J, section 1, definition *council*, ‘Aboriginal’—
omit, insert—
‘Shire’.
- (2) Schedule 1J, section 1, definition *main indigenous social grouping* and section 4(1), ‘council area’—
omit, insert—
‘community government area of the Woorabinda Shire Council’.
- (3) Schedule 1J, section 2, ‘Woorabinda Aboriginal Council area’—
omit, insert—
‘community government area of the Woorabinda Shire Council’.

17 Amendment of sch 1K (Cherbourg Community Justice Group)

- (1) Schedule 1K, section 1, definition *council* and section 5(1), table, item 4, ‘Aboriginal’—

omit, insert—

‘Shire’.

- (2) Schedule 1K, section 1, definition *main indigenous social grouping*, section 4(1)(b) and section 5(1), table, items 1 and 2, ‘council area’—

omit, insert—

‘community government area of the Cherbourg Shire Council’.

- (3) Schedule 1K, section 2, ‘Cherbourg Aboriginal Council area’—

omit, insert—

‘community government area of the Cherbourg Shire Council’.

- (4) Schedule 1K, section 4(2), from ‘council’—

omit, insert—

‘areas mentioned in subsection (1)(b)’.

18 Amendment of sch 1L (Mapoon Community Justice Group)

- (1) Schedule 1L, section 1, definition *council*, ‘Aboriginal’—

omit, insert—

‘Shire’.

- (2) Schedule 1L, section 1, definition *main indigenous social grouping* and sections 4 and 5(3)(a), ‘council area’—

omit, insert—

‘community government area of the Mapoon Shire Council’.

- (3) Schedule 1L, section 2, ‘Mapoon Aboriginal Council area’—
omit, insert—
‘community government area of the Mapoon Shire Council’.

19 Amendment of sch 1M (New Mapoon Community Justice Group)

- (1) Schedule 1M, section 1, definition *council*, ‘Aboriginal’—
omit, insert—
‘Shire’.
- (2) Schedule 1M, section 1, definition *main indigenous social grouping* and section 4, ‘council area’—
omit, insert—
‘community government area of the New Mapoon Shire Council’.
- (3) Schedule 1M, section 2, ‘New Mapoon Aboriginal Council area’—
omit, insert—
‘community government area of the New Mapoon Shire Council’.

20 Amendment of sch 1N (Wujal Wujal Community Justice Group)

- Schedule 1N, section 1, definitions *main indigenous social grouping* and *nominating entity* and section 2, ‘Wujal Wujal Aboriginal Council area’—
omit, insert—
‘community government area of the Wujal Wujal Shire Council’.

21 Amendment of sch 10 (Yarrabah Community Justice Group)

- (1) Schedule 10, section 1, definition *council*, ‘Aboriginal’—
omit, insert—
‘Shire’.
- (2) Schedule 10, section 1, definition *main indigenous social grouping* and section 4, ‘council area’—
omit, insert—
‘community government area of the Yarrabah Shire Council’.
- (3) Schedule 10, section 2, ‘Yarrabah Aboriginal Council area’—
omit, insert—
‘community government area of the Yarrabah Shire Council’.

22 Replacement of sch 2 (Dictionary)

Schedule 2—

omit, insert—

‘Schedule 2 Dictionary

section 2

councillor, of a community government, includes the community government’s mayor.

indictable offence includes an indictable offence dealt with summarily, whether or not the Criminal Code, section 659,¹ applies to the indictable offence.

justice group, for a relevant schedule, means the community justice group named in the schedule.

relevant schedule means a schedule of this regulation other than this schedule.

¹ Criminal Code, section 659 (Effect of summary conviction for indictable offences)

spent conviction means a conviction—

- (a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and
- (b) that is not revived as prescribed by section 11 of that Act.’.

23 **Amendment of sch 2 (Dictionary)**

Schedule 2, definition *relevant schedule*—

omit, insert—

‘***relevant schedule*** means a schedule of this regulation other than schedule 1P or this schedule.’.

Part 3 **Repeal**

24 **Repeal of Community Services (Aborigines—Dissolution of Palm Island Aboriginal Council) Regulation (No. 1) 2003**

The Community Services (Aborigines—Dissolution of Palm Island Aboriginal Council) Regulation (No. 1) 2003 SL No. 249 is repealed.

ENDNOTES

- 1 Made by the Governor in Council on 16 December 2004.
- 2 Notified in the gazette on 17 December 2004.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Local Government, Planning, Sport and Recreation.

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