

Queensland



ANNO TRICESIMO SEPTIMO

ELIZABETHAE SECUNDAE REGINAE



No. 88 of 1988

**An Act to make amendments to certain Acts consequential
upon the enactment of the Corrective Services
(Administration) Act 1988 and the Corrective Services
Act 1988 and for other purposes**

[ASSENTED TO 1ST DECEMBER, 1988]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title. This Act may be cited as the *Corrective Services (Consequential Amendments) Act 1988*.

2. Commencement. (1) Section 1 and this section shall commence on the day on which this Act is assented to for and on behalf of Her Majesty.

(2) Subject to subsection (1), this Act shall commence on the date appointed under section 7 of the *Corrective Services (Administration) Act 1988*.

3. Amendments of scheduled Acts. (1) An Act referred to in Schedule I is amended in the provision thereof specified in the first column of the schedule as specified in the second column of the schedule opposite that provision.

(2) An Act referred to in Schedule I as amended by this Act may be cited as specified in relation to that Act in the third column of the schedule.

4. Amendment of Recording of Evidence Act. (1) *The Recording of Evidence Act of 1962* is amended by, in section 12 (2), omitting the words "with hard labour".

(2) *The Recording of Evidence Act of 1962* as amended by *The Justices Acts and Other Acts Amendment Act of 1968* and this Act may be cited as the *Recording of Evidence Act 1962-1988*.

5. Amendments of The Criminal Code. *The Criminal Code* is amended in each provision thereof specified in the first column of Schedule II as specified in the second column of the schedule opposite that provision.

6. Savings and transitional—Security Patients' Hospital at Wacol Prison. (1) On and from the date appointed under section 7 of the *Corrective Services (Administration) Act 1988*—

- (a) the Security Patients' Hospital at Wacol Prison, declared under the *Prisons Act 1958-1988*, shall continue to be a security patients' hospital within the meaning of that Act and, subject to this section, the provisions of that Act and the *Mental Health Services Act 1974-1988* shall apply to that security patients' hospital as if the *Corrective Services Act 1988* had not commenced and as if the provision in Schedule I of this Act amending the definition "security patients' hospital" in section 5 (1) of the *Mental Health Services Act 1974-1987* had not commenced;
- (b) the Commission shall have all the powers and functions that, immediately before that day, were conferred or imposed by or under the *Prisons Act 1958-1988* or the *Mental Health*

Services Act 1974-1987 upon the Comptroller-General of Prisons in respect of security patients' hospitals and patients detained therein;

- (c) the power of the Commission to appoint general managers, custodial correctional officers and other officers under the *Corrective Services (Administration) Act 1988* includes power to appoint in respect of the Security Patients' Hospital at Wacol Prison a general manager and such custodial correctional officers and other officers as it thinks fit for the purpose of discharging the functions referred to in paragraph (b);
- (d) the person who holds office as general manager of the Security Patients' Hospital at Wacol Prison or the person for the time being performing the duties of that office shall have all the powers and functions that, immediately before that day, were conferred or imposed by or under the *Prisons Act 1958-1988* or the *Mental Health Services Act 1974-1987* upon the superintendent of a security patients' hospital within the meaning of the *Prisons Act 1958-1988*;
- (e) a reference in Part IX of the Mental Health Services Regulations 1985 to a prison officer shall be read as a reference to a custodial correctional officer within the meaning of the *Corrective Services Act 1988*.

(2) The Governor in Council may declare that the Security Patients' Hospital at Wacol Prison cease to be a security patients' hospital whereupon the provisions of subsection (1) shall be of no further force or effect.

SCHEDULE I

(s. 3)

Act and Provision Amended	Amendment	Citation
<i>Acquisition of Land Act 1967-1986</i> paragraph (a) of the Second Schedule	insert after the word "prisons" the words "(including community corrections centres under the <i>Corrective Services Act 1988</i>)"	<i>Acquisition of Land Act 1967-1988</i>
<i>Acts Interpretation Act 1954-1985</i> s. 41	omit subsection (4)	<i>Acts Interpretation Act 1954-1988</i>

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Associations Incorporation Act 1981</i> s. 55 (1)	omit the words “, with or without hard labour,”	<i>Associations Incorporation Act 1981-1988</i>
<i>Auctioneers and Agents Act 1971-1988</i> s. 85	omit the words “with hard labour”	<i>Auctioneers and Agents Act 1971-1988</i>
<i>Auctioneers and Agents Act Amendment Act 1988</i> s. 28	omit the words “with hard labour”	<i>Auctioneers and Agents Act Amendment Act 1988</i>
<i>Bail Act 1980-1987</i> s. 20 (5)	omit the words “prison officer” and substitute the words “general manager of a prison or his delegate,”	
s. 20 (6) (c) (i)	omit subparagraph (i) and substitute the following subparagraph:— “(i) is in prison, the general manager within the meaning of the <i>Corrective Services Act 1988</i> of the prison, or his delegate authorized in writing in that behalf;”	<i>Bail Act 1980-1988</i>

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<p><i>Children's Services Act 1965-1988</i></p> <p>s. 29 (1)</p> <p>s. 63 (1)</p>	<p>omit the words "with hard labour" where they twice occur</p> <p>omit the words "with hard labour"</p>	<p><i>Children's Services Act 1965-1988</i></p>
<p><i>Commissions of Inquiry Act 1950-1988</i></p> <p>s. 5B</p>	<p>omit section 5B and substitute the following section:—</p> <p>"5B. Attendance of prisoner or patient before Commission. (1) Where a chairman requires the attendance before a Commission of—</p> <p>(a) a prisoner, the chairman may, by writing under his hand served on the appropriate general manager, direct the general manager to produce the prisoner named or described in the writing at the time and place stated therein;</p> <p>(b) a patient detained in a hospital pursuant to the <i>Mental Health Services Act 1974</i> or that Act as amended and in force for the time being, the chairman may, by writing under his hand served on the appropriate hospital administrator, direct</p>	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Commissions of Inquiry Act 1950-1988</i> —continued	<p style="text-align: center;">the hospital administrator to produce the patient named or described in the writing at the time and place stated therein.</p> <p>(2) A direction served under subsection (1) is sufficient warrant or authority to the general manager or hospital administrator for producing such prisoner or patient, as the case may be, who shall be produced accordingly.</p> <p>(3) In this section the term “prisoner” and the term “general manager” has the meaning assigned to the term by the <i>Corrective Services Act 1988</i> and the term “hospital” and the term “hospital administrator” has the meaning assigned to the term by the <i>Mental Health Services Act 1974-1988</i>.”</p>	<i>Commissions of Inquiry Act 1950-1988</i>
<i>Contractors’ Trust Accounts Act 1974-1981</i> s. 14 (1)	omit the words “with hard labour” where they twice occur	<i>Contractors’ Trust Accounts Act 1974-1988</i>

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Coroners Act</i> 1958-1982 s. 7 (1) (a)	omit from the proviso all words from and including the words "(i) Any" to and including the words "justice; or"	<i>Coroners Act 1958-1988</i>
<i>Cremation Act</i> 1913-1978 s. 5 (3) s. 7	omit the words "with hard labour" omit the words "with hard labour"	<i>Cremation Act 1913-1988</i>
<i>Criminal Law (Rehabilitation of Offenders) Act</i> 1986-1988 s. 9 (2) s. 9A (1)	omit the words "or the Parole Board of Queensland" and substitute the words "or the Queensland Community Corrections Board or a regional community corrections board constituted under the <i>Corrective Services Act 1988</i> ," omit from the first column of the Table the words "Member of the Prison Service within the meaning of the <i>Prisons Act 1958-1974</i> or of any Act passed in substitution therefor" and substitute the words "Officer or employee of The Queensland Corrective Services Commission"	<i>Criminal Law (Rehabilitation of Offenders) Act 1986-1988</i>

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Drugs Misuse Act 1986-1987</i>		
s. 4 (4)	omit the words “with hard labour”	
s. 5	omit the words “with hard labour” where they twice occur	
s. 6	omit the words “with hard labour” where they occur four times	
s. 7 (1)	omit the words “with hard labour”	
s. 7 (2)	omit the words “with hard labour”	
s. 8	omit the words “with hard labour” wherever they occur	
s. 9	omit the words “with hard labour” wherever they occur	
s. 10 (1)	omit the words “with hard labour”	
s. 10 (2)	omit the words “with hard labour”	
s. 11	omit the words “with hard labour”	
s. 13 (1)	omit the words “with hard labour” where they twice occur	
s. 13 (2)	omit the words “with hard labour” where they twice occur	
s. 25	omit the words “with hard labour”	
s. 41 (7)	omit the words “with hard labour”	
s. 41 (8)	omit the words “with hard labour”	
s. 46 (2)	omit the words “with hard labour”	
s. 48 (5)	omit the words “with hard labour”	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Drugs Misuse Act</i> 1986-1987— continued s. 48 (6)	omit the words “with hard labour”	<i>Drugs Misuse Act</i> 1986-1988
s. 49 (1)	omit the words “with hard labour”	
s. 54 (1)	omit the words “with hard labour” where they twice occur	
s. 54 (2)	omit the words “with hard labour”	
<i>Evidence Act</i> 1977-1986 s. 95 (5)	omit the words “with hard labour”	<i>Evidence Act</i> 1977-1988
<i>Explosives Act</i> 1952-1981 s. 39	omit the words “, with or without hard labour,”	<i>Explosives Act</i> 1952-1988
s. 44 (2)	omit the words “with or without hard labour”	
<i>Firearms and Offensive Weapons Act</i> 1979-1986 s. 6	insert after paragraph (g) the following paragraph:— “(ga) undergoing a course of training in the use of firearms as part of a course conducted by The Queensland Corrective Services Commission for the purpose of his being appointed as a custodial correctional	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<p><i>Firearms and Offensive Weapons Act 1979-1986—continued</i></p>	<p>officer under the <i>Corrective Services (Administration) Act 1988</i> or for the purpose of his being authorized to discharge any function or exercise any power of a general manager or a custodial correctional officer under section 19 (3) of that Act;”</p> <p>add at the end of the section the following paragraph:—</p> <p>“In paragraph (a) the reference to a member of the prison service of this State shall be taken to refer to—</p> <p>an officer of The Queensland Corrective Services Commission appointed under the <i>Corrective Services (Administration) Act 1988</i> and employed by that commission in connexion with custodial corrections within the meaning of that Act;</p> <p>and</p> <p>a person authorized under section 19 (3) of the <i>Corrective Services (Administration) Act 1988</i> to discharge any function or exercise any power of a general manager or custodial correctional</p>	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Firearms and Offensive Weapons Act</i> 1979-1986— continued	officer appointed under that Act.”	<i>Firearms and Offensive Weapons Act</i> 1979-1988
<i>Health Act</i> 1937-1988 s. 76	omit the words “with or without hard labour”	<i>Health Act</i> 1937-1988
s. 131 (2)	omit from the second paragraph the words “with or without hard labour” where they twice occur	
s. 143 (2)	omit the words “, with or without hard labour,”	
<i>Industrial Conciliation and Arbitration Act</i> 1961-1988 s. 60 (2)	omit from the second paragraph the words “, with or without hard labour,”	<i>Industrial Conciliation and Arbitration Act</i> 1961-1988
<i>Inspection of Machinery Act</i> 1951-1987 s. 61 (1)	omit the words “with or without hard labour”	<i>Inspection of Machinery Act</i> 1951-1988

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<p><i>Jury Act 1929-1988</i> s. 8 (1)</p>	<p>omit paragraph (xa) and substitute the following paragraph:— “(xa) Commissioners, officers and employees of The Queensland Corrective Services Commission and persons appointed (otherwise than as volunteers) under the <i>Corrective Services Act 1988</i>,”</p>	<p><i>Jury Act 1929-1988</i></p>
<p><i>Justices Act 1886-1988</i> s. 163 s. 163A s. 165 s. 166 s. 167 s. 173</p>	<p>omit the words “with or without hard labour” omit the words “, with or without hard labour,” omit the words “with or without hard labour” where they twice occur omit the words “with or without hard labour” where they first occur omit the words “with or without hard labour, as the case may be,” omit the words “, with or without hard labour,” omit the words “with hard labour” omit the words “impose the same without hard labour, and may” omit the words “or do either of such acts”</p>	<p><i>Justices Act 1886-1988</i></p>

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Liquor Act 1912-1987</i> s. 111	omit the words “with or without hard labour” where they twice occur	<i>Liquor Act 1912-1988</i>
<i>Medical Act 1939-1987</i> s. 32	omit the words “with or without hard labour”	<i>Medical Act 1939-1988</i>
<i>Mental Health Services Act 1974-1987</i> s. 3 s. 5 (1)	omit subsection (2) insert after the definition “authorized person” the following definition:— “ “Commission” means The Queensland Corrective Services Commission constituted by the <i>Corrective Services (Administration) Act 1988</i> ; omit from the definition “prison” the words “ <i>Prisons Act 1958-1969</i> ” and substitute the words “ <i>Corrective Services Act 1988</i> ” omit from the definition “security patients’ hospital” the words “a security	

SCHEDULE I—continued

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987</i> —continued	patients' hospital within the meaning of the <i>Prisons Act 1958-1974</i> and"	
s. 28A	omit the definition "Parole Board"	
s. 31 (1)	omit the second paragraph and substitute the following words:— "For the purposes of this section an authorized person is— (a) in respect of a place of custody under the management of the Commission, a person appointed by the Commission in that behalf; (b) in respect of any other place of custody, the person in charge of that place or such other person as is prescribed in respect of that place."	
s. 31 (2)	omit all words from and including the words "The application and recommendation" to the end of the subsection and substitute the following words:— "The application and recommendation shall be in accordance with such other conditions and requirements as are prescribed and, where the person in respect of whom the application is made is	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987</i> —continued	<p>a prisoner within the meaning of the <i>Corrective Services Act 1988</i>, the making of the application shall be approved by the Commission.</p> <p>An application duly made and the recommendation on which it is founded shall together be lawful authority—</p> <p>(a) for any member of the police force or any correctional officer (within the meaning of the <i>Corrective Services Act 1988</i>) to convey the person in respect of whom the application is made to the security patients' hospital;</p> <p>and</p> <p>(b) for the hospital administrator to admit the person to the hospital and detain him until he is dealt with otherwise in accordance with this section.</p> <p>Upon the admission of the person to the security patients' hospital the hospital administrator shall forthwith notify the Director.”</p> <p>omit the second paragraph and substitute the following words:—</p> <p>“If the psychiatrist certifies that the patient needs to be</p>	

s. 31 (3)

SCHEDULE I—continued

Act and Provision Amended	Amendment	Citation
<p><i>Mental Health Services Act 1974-1987—continued</i></p>	<p>so detained the patient shall be detained pursuant to this section but if the psychiatrist certifies that he does not need to be so detained—</p> <p>(a) the hospital administrator shall forthwith inform the Director and the Commission and, where the patient was not before admission to the security patients' hospital a prisoner within the meaning of the <i>Corrective Services Act 1988</i>, the authorized person in respect of the place of custody from which the patient was admitted;</p> <p>and</p> <p>(b) the Commission shall cause the patient to be removed from the hospital and, on being removed, he shall be deemed to be a prisoner within the meaning of the <i>Corrective Services Act 1988</i> (whether or not he was such a prisoner immediately before his admission to the security patients' hospital) and that Act shall apply accordingly.”</p>	

s. 31 (4)

omit the subsection

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987—continued</i> s. 38 (11)	omit from paragraph (a) the words “Comptroller-General of Prisons” and substitute the word “Commission”	
s. 39 (6)	omit the second paragraph and substitute the following paragraph:— “The Tribunal that has reviewed a patient’s mental condition under this subsection shall, if it is of the opinion that the patient can be released having regard to the interests of his own welfare and the protection of other persons, recommend to the Queensland Community Corrections Board accordingly.”	
s. 39 (7)	omit subsection (7) and substitute the following subsection:— “(7) Where pursuant to a Tribunal’s determination a patient is detained in a prison and a Tribunal has made a recommendation to the Queensland Community Corrections Board pursuant to subsection (6), it is competent to the Board to release him from prison on parole and for that purpose the provisions of Part IV of the <i>Corrective Services Act 1988</i> shall with all necessary adaptations and modifications apply accordingly except that the application for parole shall	

SCHEDULE I—continued

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987</i> —continued	<p>be forwarded to the secretary to the Queensland Community Corrections Board and shall not be considered by a regional community corrections board.</p> <p>A patient released on parole pursuant to this subsection shall be under the supervision of a community correctional officer within the meaning of the <i>Corrective Services Act 1988</i> for such period as the Queensland Community Corrections Board from time to time determines.”</p>	
s. 42	omit the words “Comptroller-General of Prisons” and substitute the word “Commission”	
s. 43 (1)	<p>omit from the first paragraph the words “a prison and admitted to a” and substitute the words “his place of custody and admitted to a security patients’ ”</p> <p>omit the second and third paragraphs and substitute the following words:—</p> <p>“Every such admission shall be based on an application made by a person who is an authorized person in respect of that place of custody.</p>	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987—continued</i>	<p>For the purposes of this section an authorized person is—</p> <p>(a) in respect of a place of custody under the management of the Commission, a person appointed by the Commission in that behalf;</p> <p>(b) in respect of any other place of custody, the person in charge of that place or such other person as is prescribed in respect of that place.”</p>	
s. 43 (3)	<p>insert after the word “prescribed” the words “and, where the prisoner is a prisoner within the meaning of the <i>Corrective Services Act 1988</i>, the making of the application shall be approved by the Commission”</p>	
s. 43 (4)	<p>omit the subsection and substitute the following subsection:—</p> <p>“(4) An application duly made and the recommendation on which it is founded shall together be lawful authority—</p> <p>(a) for any member of the police force or any correctional officer (within the meaning of the <i>Corrective Services Act 1988</i>) to convey the prisoner to a</p>	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987—continued</i>	<p>security patients' hospital; and (b) for the hospital administrator to admit the person to the hospital and detain him until he is otherwise dealt with in accordance with this section."</p>	
s. 43 (5)	<p>omit the second paragraph and substitute the following words:— "If the psychiatrist certifies that the person needs to be so detained the person shall be detained pursuant to this section but if the psychiatrist certifies that he does not need to be so detained— (a) the hospital administrator shall forthwith inform the Director and the Commission and, where the person was not before admission to the security patients' hospital a prisoner within the meaning of the <i>Corrective Services Act 1988</i>, the authorized person in respect of the place of custody from which the person was admitted; and</p>	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987—continued</i>	(b) the Commission shall cause the person to be removed from the hospital and, on being removed, he shall be deemed to be a prisoner within the meaning of the <i>Corrective Services Act 1988</i> (whether or not he was such a prisoner immediately before his admission to the security patients' hospital) and that Act shall apply accordingly."	
s. 43 (6)	omit all words from and including the words "for the balance of", occurring in the first paragraph, to the end of the second paragraph and substitute the following words:— "until the expiration of his period of imprisonment or detention. Where a person is admitted to a hospital pursuant to this section— (a) the provisions of this Act relating to the treatment or custody of a patient shall, subject to this subsection, apply to that person with all necessary modifications; and	

SCHEDULE I—continued

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987</i> —continued	<p>(b) the provisions of section 50A (3) shall apply to the person as if he were a restricted patient.”</p> <p>omit the final paragraph and substitute the following words:—</p> <p>“If the psychiatrist nominated by the Director certifies that the person detained does not need to be detained any longer on account of mental illness—</p> <p>(a) the hospital administrator shall forthwith inform the Commission;</p> <p>and</p> <p>(b) the Commission shall cause the person to be removed from the hospital and, on being removed, he shall be deemed to be a prisoner within the meaning of the <i>Corrective Services Act 1988</i> (whether or not he was such a prisoner immediately before his admission to a security patients’ hospital) and that Act shall apply accordingly.”</p>	
s. 43 (9), (10) and (11)	<p>omit subsections (9), (10) and (11) and substitute the following subsections:—</p> <p>“(9) In this section the expression “the expiration of his period of imprisonment” means the</p>	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987—continued</i>	<p>day calculated by the Commission pursuant to regulations made under this Act (the Governor in Council being hereby authorized to make such regulations) as the day on which the period of imprisonment of the prisoner is deemed for the purposes of this section to expire.</p> <p>(10) A calculation referred to in subsection (9) shall be made by the Commission and notified to the Director as near as is practicable to the time of the prisoner's admission to hospital pursuant to this section.</p> <p>(11) Subject to subsection (12) but notwithstanding any other provision of this Act, a person serving a sentence of imprisonment or detention for a period pursuant to the order of a court who is detained in a security patients' hospital or other hospital may be released on parole—</p> <p>(a) in the case of a person undergoing a term of imprisonment for life—by the Governor in Council;</p> <p>and</p> <p>(b) in any other case—by the Queensland Community Corrections Board,</p>	

SCHEDULE I—continued

Act and Provision Amended	Amendment	Citation
<i>Mental Health Services Act 1974-1987</i> —continued	<p>as if that person were a prisoner within the meaning of the <i>Corrective Services Act 1988</i> and for that purpose the provisions of Part IV of that Act shall with all necessary adaptations and modifications apply accordingly except that the application for parole shall be forwarded to the secretary to the Queensland Community Corrections Board, shall not be considered by a regional community corrections board and, other than in the case of an application by a person undergoing a term of imprisonment for life, shall be determined by the Queensland Community Corrections Board.</p> <p>(12) A person detained in a security patients' hospital or other hospital shall not be released on parole unless a Patient Review Tribunal, having reviewed the mental condition of the person, has determined that he may be so released having regard to his own safety and the safety of other persons."</p>	<i>Mental Health Services Act 1974-1988</i>
Second Schedule	omit Part A	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<p><i>Motor Vehicles Control Act 1975-1988</i> s. 23 (2)</p> <p><i>Parole Orders (Transfer) Act 1984</i> s. 3</p>	<p>omit the words “with hard labour”</p> <p>omit the definition “Parole Board”</p> <p>omit from the definition “parole order” the words “<i>Offenders Probation and Parole Act 1980</i>” and substitute the words “<i>Corrective Services Act 1988</i>”</p> <p>insert after the definition “parole order” the following definition:— ““regional community corrections board” means a regional community corrections board constituted under the <i>Corrective Services Act 1988</i>;</p> <p>insert after the definition “Registrar” the following definition:— ““Queensland Community Corrections Board” means the Queensland Community Corrections Board constituted under the <i>Corrective Services Act 1988</i>;</p>	<p><i>Motor Vehicles Control Act 1975-1988</i></p>

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Parole Orders (Transfer) Act 1984</i> —continued		
s. 5 (2)	omit the words “Secretary to the Parole Board under the <i>Offenders Probation and Parole Act 1980</i> ” and substitute the words “secretary to the Queensland Community Corrections Board”	
s. 6 (3)	omit the words “Parole Board of that fact and forward to the Parole Board” and substitute the words “Queensland Community Corrections Board of that fact and forward to the board”	
s. 7 (1) (d)	omit the words “Parole Board” and substitute the words “Queensland Community Corrections Board, regional community corrections board”	
s. 9 (2) (b)	omit the words “Parole Board” and substitute the words “Queensland Community Corrections Board”	
s. 10 (2) (c)	omit the words “made and were in force under the <i>Offenders Probation and Parole Act 1980</i> ” and substitute the words “validly made by the Queensland Community Corrections Board and were in force under the <i>Corrective Services Act 1988</i> ”	
s. 10 (3)	insert after the words “Act 1980” the words “or the <i>Corrective Services Act 1988</i> ”	

Parole Orders (Transfer) Act 1984-1988

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Police Act 1937-1987</i>		
s. 24	omit the words “and kept to hard labour”	
s. 34	omit the words “with or without hard labour”	<i>Police Act 1937-1988</i>
<i>Prisoners (Interstate Transfer) Act 1982</i>		
s. 4 (1)	omit from the definition “gaoler” the words “ <i>Prisons Act 1958-1974</i> is the Superintendent” and substitute the words “ <i>Corrective Services Act 1988</i> is the general manager”	
	omit from the definition “Minister” the words “ <i>Prisons Act 1958-1974</i> ” and substitute the words “ <i>Corrective Services Act 1988</i> ”	
	omit from the definition “prison” the words “4 of the <i>Prisons Act 1958-1974</i> ” and substitute the words “10 of the <i>Corrective Services Act 1988</i> ”	
	omit from the definition “prison officer” the words “who is a prison officer under the <i>Prisons Act 1958-1974</i> ” and substitute the words “appointed as a custodial correctional officer pursuant to the <i>Corrective Services (Administration) Act 1988</i> ”	<i>Prisoners (Interstate Transfer) Act 1982-1988</i>

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Professional Engineers Act</i> 1929-1975 s. 26	omit the words “with or without hard labour”	<i>Professional Engineers Act</i> 1929-1988
<i>Public Trustee Act</i> 1978-1985 s. 92 (1)	omit the words “the Comptroller-General of Prisons (hereinafter in this Part referred to as “the Comptroller-General”)” and substitute the words “The Queensland Corrective Services Commission (hereinafter in this Part referred to as “the Commission”)”	
s. 92 (2)	omit the words “him the Comptroller-General” and substitute the words “it the Commission” omit paragraph (b) and substitute the following paragraph:— “(b) the prisoner if he is at liberty as a result of a parole order made pursuant to the provisions of the <i>Corrective Services Act</i> 1988 (in this Act referred to as a “parole order”);” omit from paragraph (c) the expression “Comptroller-General” and substitute the word “Commission”	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Public Trustee Act</i> 1978-1985— continued		
s. 92 (3)	omit the words “The Chief Probation Officer or such” and substitute the word “Such” insert after the words “by him” the words “pursuant to subsection (2) (c)”	
s. 92 (4)	omit the words “Comptroller-General or the Chief Probation Officer” and substitute the word “Commission” omit the expression “Comptroller-General” where it secondly and thirdly occurs and substitute in each case the word “Commission”	
s. 92 (5)	omit the expression “Comptroller-General” and substitute the word “Commission” omit all words from and including the words “and, if,” to and including the words “Probation Officer”	
s. 92 (6)	omit the words “Unless the prisoner is at liberty as the result of a parole order, the Comptroller-General” and substitute the words “The Commission” omit the word “he” and substitute the word “it”	
s. 92 (7)	omit the words “Chief Probation Officer” where they firstly occur and substitute the word “Commission”	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Public Trustee Act 1978-1985—continued</i>		
	omit the words “Chief Probation Officer or other person shall take such steps as appear to” and substitute the words “Commission or, as the case may be, officer or other person shall take such steps as appear to it or”	
s. 93 (1)	omit the expression “Comptroller-General” where it twice occurs and substitute in each case the word “Commission”	
s. 93 (2)	omit the words “Comptroller-General he” and substitute the words “Commission it”	
s. 93 (3)	omit the expression “Comptroller-General” and substitute the word “Commission”	
s. 93 (4)	omit the expression “Comptroller-General” and substitute the word “Commission”	
s. 97 (1) (c)	omit the words “pursuant to the provisions of section 659H of <i>The Criminal Code</i> ” and substitute the words “according to law”	
Second Schedule Form 11	omit the words “The Comptroller-General of Prisons” and substitute the words “The Queensland Corrective Services Commission”	
Second Schedule Form 12	omit the words “the Comptroller-General of Prisons or The Chief Probation Officer” and substitute the words “The Queensland Corrective Services Commission”	

SCHEDULE I—*continued*

Act and Provision Amended	Amendment	Citation
<i>Public Trustee Act</i> 1978-1985— continued		
Second Schedule Form 13	omit the words “the Comptroller-General of Prisons” where they twice occur and substitute in each case the words “The Queensland Corrective Services Commission”	
Second Schedule Form 14	omit the words “The Comptroller-General of Prisons” and substitute the words “The Queensland Corrective Services Commission”	<i>Public Trustee Act</i> 1978-1988
<i>Sewerage and Water Supply Act</i> 1949-1988 s. 18A (1)	omit the words “with or without hard labour,”	<i>Sewerage and Water Supply Act</i> 1949-1988
<i>Trust Accounts Act</i> 1973-1978 s. 9	omit the words “with hard labour”	<i>Trust Accounts Act</i> 1973-1988
<i>Vagrants, Gaming, and Other Offences Act</i> 1931-1988 s. 2	omit the definition “Imprisonment”	
s. 29 (1)	omit the words “with hard labour”	
s. 30	omit from the first paragraph the words “with hard labour”	<i>Vagrants, Gaming, and Other Offences Act</i> 1931-1988

SCHEDULE II

[s. 5]

Provision of Criminal Code amended	Amendment
s. 18	omit the words "Imprisonment with hard labour;" omit the words "without hard labour"
s. 19 (1)	omit the words "Detention in a reformatory prison;" omit the words " , either with or without hard labour," and the word "similar"
s. 19 (2)	omit paragraph (2)
s. 19 (3)	omit the words " , either with or without hard labour,"
s. 20	omit from the second paragraph the words " , with or without hard labour," where they twice occur
ss. 37, 38, 39, 41, 42, 47, 48 and 51 (1)	omit the words "with hard labour"
s. 52 (2)	omit the words "with hard labour" where they twice occur
s. 54A	omit the words "with hard labour" where they thrice occur
ss. 56A, 56B (1), 57, 59, 60 and 63 . .	omit the words "with hard labour"
s. 64	omit the words "and kept to hard labour" and the words "with hard labour"
ss. 65, 66, 67, 68, 69, 72 and 73	omit the words "with hard labour"
s. 75	omit the words "with hard labour" where they twice occur
s. 76	omit the words "with hard labour"
s. 78	omit the words "with hard labour" where they twice occur
s. 81	omit the words "with hard labour" where they twice occur
ss. 82, 83, 87, 91, 92, 94, 96, 97, 99, 100, 101, 102, 103, 108, 109, 110, 111, 112, 113, 114, 115, 117, 118, 121 and 122	omit the words "with hard labour"
s. 124	omit the words "with hard labour" where they thrice occur
ss. 126, 127, 128 and 129	omit the words "with hard labour"

SCHEDULE II—*continued*

Provision of Criminal Code amended	Amendment
s. 131	omit the words “with hard labour” where they occur five times
s. 132	omit the words “with hard labour”
s. 133	omit the words “with hard labour” where they thrice occur
ss. 139, 140, 141, 142, 143, 144, 146 and 147	omit the words “with hard labour”
s. 148	omit the words “with hard labour” where they twice occur
ss. 193, 194, 196, 197, 199, 206, 208 and 209	omit the words “with hard labour”
s. 210	omit the words “with hard labour” where they twice occur
s. 211	omit the words “with hard labour”
s. 212	omit the words “with hard labour” where they twice occur
s. 213	omit the words “with hard labour” where they twice occur
ss. 214 and 215 . .	omit the words “with hard labour”
s. 216	omit the words “with hard labour” where they twice occur
ss. 217, 218, 219, 220 and 221	omit the words “with hard labour”
s. 222	omit the words “with hard labour” where they twice occur
ss. 223, 224, 225, 226, 227, 228, 229A (1), 231 and 232	omit the words “with hard labour”
s. 233	omit the words “with hard labour” where they thrice occur
ss. 234, 236, 237, 238, 239, 240, 242, 243, 244, 305, 306, 307, 308, 309, 310, 311, 313, 314, 315, 316, 317, 317A, 318, 319, 319A, 320, 321, 322, 323, 324, 325, 326, 327 and 328	omit the words “with hard labour”

SCHEDULE II—*continued*

Provision of Criminal Code amended	Amendment
s. 328A	omit the words “with hard labour” where they occur five times
ss. 329, 330, 331, 333, 334, 335, 336, 337, 338 and 338A	omit the words “with hard labour”
s. 339	omit the words “with hard labour” where they twice occur
s. 340	omit the words “with hard labour”
s. 343	omit the words “with hard labour” where they twice occur
s. 343A	omit the words “with hard labour” where they twice occur
ss. 344, 346, 348, 349, 350, 351, 352 and 354	omit the words “with hard labour”
s. 354A	omit the words “with hard labour” where they thrice occur
ss. 355, 356, 360, 363, 380, 381 and 383	omit the words “with hard labour”
s. 398	omit the words “with hard labour” wherever they occur
ss. 399, 400, 401, 405, 407 and 408	omit the words “with hard labour”
s. 408A (1)	omit the words “with hard labour” where they thrice occur
s. 408B (1)	omit the words “with hard labour”

SCHEDULE II—*continued*

Provision of Criminal Code amended	Amendment
s. 408C (2)	omit the words “with hard labour” where they twice occur
s. 411	omit the words “with hard labour” where they twice occur
s. 412	omit the words “with hard labour” where they thrice occur
ss. 413 and 414 . .	omit the words “with hard labour”
s. 415	omit the words “with hard labour” where they twice occur
s. 416	omit the words “with hard labour” where they twice occur
s. 417	omit the words “with hard labour”
s. 417A	omit the words “with hard labour” where they thrice occur
s. 419	omit the words “with hard labour” where they twice occur
s. 420	omit the words “with hard labour” where they twice occur
ss. 421 and 422 . .	omit the words “with hard labour”
s. 425	omit the words “with hard labour” where they twice occur
s. 427	omit the words “with hard labour” where they twice occur
ss. 427A (1), 428, 429, 430, 431 and 432	omit the words “with hard labour”

SCHEDULE II—*continued*

Provision of Criminal Code amended	Amendment
s. 433	omit the words “with hard labour” where they twice occur
ss. 435, 436, 437, 438, 440, 441 and 442	omit the words “with hard labour”
s. 442I	omit the words “with or without hard labour,”
s. 443	omit the words “with hard labour” where they occur five times
ss. 444B, 445, 446, 447, 448, 448A, 451, 452, 453, 461, 462, 463, 464, 465, 466 and 467	omit the words “with hard labour”
s. 467A	omit the words “with hard labour” where they twice occur
s. 468	omit the words “with hard labour” where they thrice occur
s. 469	omit the words “with hard labour” where they occur ten times
ss. 470, 470A, 471, 472, 473, 474, 475, 476, 477 and 478	omit the words “with hard labour”
s. 480	omit the words “with hard labour” where they twice occur
s. 488	omit the words “with hard labour” where they occur five times

SCHEDULE II—*continued*

Provision of Criminal Code amended	Amendment
ss. 493, 494, 496, 498, 499, 500, 501, 502, 503, 504, 505, 506, 510, 511, 512 and 513	omit the words “with hard labour”
s. 514	omit the words “with hard labour” where they twice occur
ss. 515, 517, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533 and 534	omit the words “with hard labour”
s. 536	omit the words “with hard labour” where they twice occur
s. 538	omit the words “with hard labour” where they twice occur
s. 540	omit the words “with hard labour”
s. 541	omit the words “with hard labour” where they twice occur
ss. 542, 543 and 544	omit the words “with hard labour”
s. 545	omit the words “with or without hard labour”
s. 656	omit the words “, with or without hard labour,”
s. 659A (5)	omit the words “, and may direct that on the expiration of his sentence he shall be detained in a reformatory prison under this Code”
s. 659B and heading	repeal section 659B and omit the heading immediately preceding the section

SCHEDULE II—*continued*

Provision of Criminal Code amended	Amendment
s. 659C and heading	repeal section 659C and omit the heading immediately preceding the section
s. 659D	omit the expression “(1)” omit subsection (2)
s. 659E and heading	repeal section 659E and omit the heading immediately preceding the section
s. 659F and heading	repeal section 659F and omit the heading immediately preceding the section
s. 659H (1)	omit the word “reformatory”
s. 659I and heading	repeal section 659I and omit the heading immediately preceding the section
s. 671G (1)	omit the words “by regulations made”
s. 671G (4)	omit the words “by regulations” omit the words “those regulations” and substitute the words “those laws”
s. 675	omit the words “with or without hard labour”
s. 685A (3)	omit the words “with hard labour”