



Queensland

# **Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025**

## **Act No. 7 of 2025**

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**An Act to amend the Anti-Discrimination Act 1991, the Crime and Corruption Act 2001, the Crime and Corruption and Other Legislation Amendment Act 2024, the Evidence Act 1977, the Forensic Science Queensland Act 2024, the Police Powers and Responsibilities Act 2000, the Respect at Work and Other Matters Amendment Act 2024 and the Youth Justice Act 1992 for particular purposes**

**[Assented to 19 May 2025]**





Queensland

# Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025

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**The Parliament of Queensland enacts—**

## **Part 1 Preliminary**

### **1 Short title**

This Act may be cited as the *Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025*.

## **Part 2 Amendment of Crime and Corruption Act 2001**

### **2 Act amended**

This part amends the *Crime and Corruption Act 2001*.

### **3 Amendment of ch 2, hdg (Commission functions, investigations and reporting)**

Chapter 2, heading, ‘and reporting’—  
*omit, insert—*

**, reporting and statements**

### **4 Amendment of s 35 (How commission performs its corruption functions)**

Section 35(1)—  
*insert—*

(k) providing information generally about how it performs its corruption functions by

reporting and making statements to the public;

- (l) reporting on investigations to appropriate authorities and entities if it decides that prosecution proceedings or disciplinary action should be considered;
- (m) providing information to the public and to appropriate authorities and entities, by reporting and making public statements, about particular complaints or particular investigations if the commission considers it appropriate and necessary in the circumstances to do so—
  - (i) provide transparency about how it performs its corruption functions; or
  - (ii) assure the public and other authorities and entities that allegations of corruption are appropriately dealt with; or
  - (iii) continuously improve the integrity of, and reduce the incidence of corruption in, the public sector.

## 5 **Amendment of s 46 (Dealing with complaints—commission)**

Section 46(5)—

*insert—*

*Note—*

See section 48B in relation to limitations on the commission's findings, recommendations and statements.

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**6 Amendment of ch 2, pt 3, div 4, sdiv 4, hdg  
(Miscellaneous provision)**

Chapter 2, part 3, division 4, subdivision 4, heading,  
'provision'—

*omit, insert*—

**provisions**

**7 Insertion of new s 48B**

After section 48A—

*insert*—

**48B Limitation on commission's findings,  
recommendations and statements**

- (1) Despite any other law, including sections 46, 64, 64A and 65A, the commission must not—
  - (a) make any finding or statement that a person has or has not engaged in, or is or is not engaging in or about to engage in, corruption; or
  - (b) make any finding, recommendation or statement that—
    - (i) a person should be prosecuted for a criminal offence or be the subject of disciplinary action; or
    - (ii) prosecution proceedings or disciplinary action should be considered in relation to a person; or
  - (c) make any finding or statement that there is evidence, or insufficient evidence, supporting the start of a proceeding against a person.
- (2) However, subsection (1)(b)(ii) and (c) does not apply in relation to—

- (a) a report under division 5 or a proceeding relating to the report; or
  - (b) any information or document that the commission is required to provide to the parliamentary committee or parliamentary commissioner.
- (3) To remove any doubt, it is declared that subsection (1) does not prevent the commission making a factual statement—
- (a) about a matter or thing that is already in the public domain; or
  - (b) to indicate that the commission has reported on a corruption investigation under division 5.

## **8 Amendment of s 50 (Commission may prosecute corrupt conduct)**

- (1) Section 50, heading—

*omit, insert—*

### **50 Commission may apply to QCAT about corrupt conduct**

- (2) Section 50(1)—

*omit, insert—*

- (1) This section applies if the commission—
- (a) reports to the chief executive officer of a unit of public administration under section 49(2)(f); and
  - (b) considers there is evidence supporting the start of a disciplinary proceeding against a prescribed person in the unit of public administration in relation to a complaint about, or information or matter involving, corruption.

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**9 Amendment of ch 2, pt 6, hdg (Reporting)**

Chapter 2, part 6, heading, after ‘Reporting’—

*insert—*

**and statements**

**10 Replacement of ch 2, pt 6, div 1, hdg (Application)**

Chapter 2, part 6, division 1, heading—

*omit, insert—*

**Division 1 Preliminary**

**11 Amendment of s 63 (Application of pt 6)**

(1) Section 63, heading, ‘pt 6’—

*omit, insert—*

**part**

(2) Section 63, ‘performance of crime functions’—

*omit, insert—*

commission’s performance of its crime function

**12 Insertion of new s 63A**

After section 63—

*insert—*

**63A Definitions for part**

In this part—

**action** includes a decision to take no action or discontinue action.

**corruption matter** means—

(a) a complaint about, or information or matter (also a **complaint**) involving, corruption made or notified to the commission, or

otherwise coming to its attention, whether or not the complaint has been assessed or any action has been taken in relation to the complaint under section 46; or

- (b) a corruption investigation, whether or not the investigation is complete.

### 13 Amendment of s 64 (Commission's reports—general)

- (1) Section 64, heading, 'Commission's'—

*omit, insert—*

#### **Commission**

- (2) Section 64(2)—

*insert—*

*Note—*

See section 48B in relation to limitations on the commission's findings, recommendations and statements.

- (3) Section 64—

*insert—*

(4A) To remove any doubt, it is declared that, subject to section 63, the commission may report simultaneously in the performance of 1 or more of its functions.

(4B) This section does not apply to a report under part 3, division 5.

- (4) Section 64(4A) to (5)—

*renumber* as section 64(5) to (7).

### 14 Insertion of new s 64A

After section 64—

*insert—*

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## **64A Commission reports—particular corruption matters**

- (1) Without limiting section 64, the commission may report on a corruption matter under section 64(1).
- (2) In making a decision about reporting on a corruption matter under section 64(1), including the preparation of prescribed content and the inclusion of comments under section 64(4) in the report, the commission must consider the following matters—
  - (a) the need for accountability and transparency in government and the public sector;
  - (b) whether the report will be for the public benefit;
  - (c) whether the commission has finalised its assessment of the corruption matter, and any action taken in relation to the corruption matter, under section 46;
  - (d) the seriousness of the corruption matter;
  - (e) whether the report may prejudice—
    - (i) any proceeding that the commission is aware of, or any reasonably foreseeable future proceeding, in relation to the corruption matter; or
    - (ii) an investigation by the commission or other law enforcement agency;
  - (f) if a person’s identity is readily apparent, or can reasonably be ascertained, from the report—
    - (i) whether the standing and status of the person warrants greater public scrutiny; and

*Examples—*

- the person holds a senior role in the public service

- the person is an independent statutory office holder
  - the person is an elected official
- (ii) whether the report may unreasonably damage the person's health, safety or wellbeing; and
- (iii) the seriousness of the person's conduct; and
- (iv) whether the person consents to being identified; and
- (v) whether the report may unreasonably interfere with the person's privacy or reputation;
- (g) any other relevant matter.
- (3) Subsection (2) does not limit or otherwise affect—
- (a) the operation of section 57; or
- (b) the application of any other law to the commission's decision.

*Example of another law that may apply to the commission's decision—*

*Human Rights Act 2019, section 58*

- (4) To remove any doubt, it is declared that the commission may report on a corruption matter under subsection (1) regardless of whether the commission has reported on the matter under section 49.

*Note—*

See also section 331.

- (5) In this section—
- prescribed content***, for a report, means—

- (a) an objective summary of matters that must be included in the report under section 64(2)(b); or
- (b) a fair statement of a person's submission that must be included in the report under section 69B(5) or 69D(4).

## 15 Insertion of new ch 2, pt 6, div 2A

Chapter 2, part 6—

*insert—*

### **Division 2A Public statements about particular corruption matters**

#### **65A Public statements**

- (1) The commission may make a statement to the public about a corruption matter (a *public statement*).
- (2) A public statement may be made in the way the commission considers appropriate.

*Examples of ways to make a public statement—*

- issuing a media release
  - making a verbal statement at a press conference
  - publishing information on the commission's website
- (3) A public statement must not include any recommendations in relation to a corruption matter other than a recommendation included in a commission report on the corruption matter that has been tabled in the Legislative Assembly, or published, under section 69.

*Note—*

See also section 48B.

- (4) In making a decision about making a public statement about a corruption matter under subsection (1), including the information to be included in the statement, the commission must consider the following matters—
- (a) the need for accountability and transparency in government and the public sector;
  - (b) whether the statement will be for the public benefit;
  - (c) whether the commission has finalised its assessment of the corruption matter, and any action taken in relation to the corruption matter, under section 46;
  - (d) the seriousness of the corruption matter;
  - (e) whether the statement may prejudice—
    - (i) any proceeding that the commission is aware of, or any reasonably foreseeable future proceeding, in relation to the corruption matter; or
    - (ii) an investigation by the commission or other law enforcement agency;
  - (f) whether the statement is the most appropriate and suitable means of releasing information about the corruption matter to the public;

*Examples of when a public statement may be the most appropriate and suitable means of releasing information—*

- to provide information about a procedural step taken by the commission in relation to a complaint about, or information or matter involving, corruption
- to provide factual information about the outcome of a charge or other proceeding resulting from a corruption investigation

- (g) if a person's identity is readily apparent, or can reasonably be ascertained, from the statement—
- (i) whether the standing and status of the person warrants greater public scrutiny; and
- Examples—*
- the person holds a senior role in the public service
  - the person is an independent statutory office holder
  - the person is an elected official
- (ii) whether the statement may unreasonably damage the person's health, safety or wellbeing; and
- (iii) the seriousness of the person's conduct; and
- (iv) whether the person consents to being identified; and
- (v) whether the statement may unreasonably interfere with the person's privacy or reputation;
- (h) any other relevant matter.
- (5) Subsection (4) does not limit or otherwise affect—
- (a) the operation of section 57; or
- (b) the application of any other law to the commission's decision.

*Example of another law that may apply to the commission's decision—*

*Human Rights Act 2019, section 58*

- (6) This section does not limit section 174, other than to the extent mentioned in section 174(3).
- (7) In this section—

**information**, for a statement, includes—

- (a) any comments and other material that may be included in the statement; and
- (b) a fair statement of a person's submission that must be included in the statement under section 69B(5) or 69D(4).

## 16 Amendment of s 66 (Maintaining confidentiality of information)

- (1) Section 66(1), 'Act about reporting,'—

*omit, insert—*

Act or another law about reporting, or the making of a statement to the public,

- (2) Section 66(1)(a) and (b), after 'report'—

*insert—*

or statement

- (3) Section 66(2), from 'report to which' to 'in a report'—

*omit, insert—*

report or statement to which confidential information is relevant or, in a report or statement

- (4) Section 66—

*insert—*

- (5) A document mentioned in subsection (2)(a) or (b) is not a commission report for section 69.

- (6) In this section—

**report** includes a draft report mentioned in section 69B(2)(a)(i)(A) or 69D(2)(a)(i)(A).

**statement** includes a draft statement mentioned in section 69B(2)(a)(ii)(A) or 69D(2)(a)(ii)(A).

**17 Amendment of s 68 (Giving of reasons)**

Section 68(b), before ‘report’—

*insert—*

commission

**18 Amendment of s 69 (Commission reports to be tabled)**

(1) Section 69(1) and (2)—

*omit.*

(2) Section 69(7), ‘subsection (6)’—

*omit, insert—*

subsection (4)

(3) Section 69(8)—

*omit, insert—*

(8) This section does not apply to a commission report to which section 65 applies.

(4) Section 69(3) to (8)—

*renumber* as section 69(1) to (6).

**19 Insertion of new ch 2, pt 6, div 4A**

Chapter 2, part 6—

*insert—*

**Division 4A Procedural provisions**

**69A Definitions for division**

In this division—

*adverse comment*, about a person, means adverse comment, whether true or not, by any person, including the commission, about a person whose identity is readily apparent, or can reasonably be

ascertained, regardless of whether the person is identified by name.

*related evidence*, in relation to adverse comment about a person, means evidence and other information or material in the possession of the commission on which the adverse comment about the person is based.

*related evidence summary* see section 69B(2)(b).

*relevant person*, in relation to a commission report, means the chairperson of the parliamentary committee, the Speaker or the Minister.

## **69B Adverse comment**

- (1) This section applies if the commission proposes to make an adverse comment about a person in—
  - (a) a commission report required to be tabled in the Legislative Assembly, or published, under section 69; or
  - (b) a public statement.
- (2) Without limiting the commission's obligation to provide procedural fairness to the person, before the commission gives the commission report to a relevant person or makes the public statement, the commission must—
  - (a) give the person—
    - (i) in relation to a commission report—
      - (A) a copy of the report in draft form (the *draft report*); or
      - (B) an extract from the draft report containing the adverse comment; or
    - (ii) in relation to a public statement—

- (A) a copy of the statement in draft form (the *draft statement*); or
  - (B) if the draft statement applies to more than 1 person—the part of the draft statement that applies to the person; and
- (b) give the person a copy of any related evidence, or a summary of the substance or significant part of any related evidence (a *related evidence summary*), that is not contained in the draft report or extract from the draft report, or the draft statement or part of the draft statement; and
- (c) give the person a written notice—
- (i) inviting the person to make a submission to the commission on—
    - (A) the draft report or extract from the draft report, or the draft statement or part of the draft statement; and
    - (B) the related evidence or related evidence summary; and
  - (ii) stating the day, not earlier than 30 days after the notice is given, by which the submission must be made to the commission.
- (3) Within 14 days after receiving the notice, the person may apply to the commission for an extension of time, of no more than 60 days unless there are exceptional circumstances, in which to make a submission.
- (4) The commission must consider any submission received from the person by the day stated in the notice or within any extended time for making a submission granted by the commission or the Supreme Court under section 69C.

- (5) If after considering a submission under subsection (4) the commission still proposes to include adverse comment about the person in the commission report or public statement, the commission must ensure the person's submission is also fairly stated in the report or statement.
- (6) If the commission proposes to include further adverse comment about the person in the commission report or public statement, in addition to the adverse comment mentioned in subsection (1), subsections (2) to (5) apply to the further adverse comment.
- (7) Subsection (2) does not apply in relation to a public statement if—
  - (a) the statement only provides a factual and objective summary of a commission report; and
  - (b) the commission has complied with this section in relation to the report.
- (8) To remove any doubt, it is declared that subsection (2)(b) does not require the commission to give a person a copy of evidence and other information or material in its possession if the commission considers the confidentiality of the evidence, information or material should be strictly maintained.

### **69C Application to court for extension of time to make submission**

- (1) This section applies if—
  - (a) a person applies for an extension of time under section 69B(3) (the *extension application*); and
  - (b) the commission decides to refuse the extension application.

- (2) The commission must give the person an information notice for its decision.
- (3) Within 14 days after receiving the information notice, the person may apply to the Supreme Court to decide the extension application.
- (4) The commission must not give the commission report to a relevant person or make the public statement before—
  - (a) the end of the period in which a person may apply to the Supreme Court under subsection (3); or
  - (b) if an application is made under subsection (3)—the application is decided or withdrawn.
- (5) The Supreme Court must deal with an application under subsection (3) expeditiously.
- (6) The application may be heard in closed court.
- (7) The Supreme Court may hear the application in any way it considers appropriate, including, for example, by hearing the matter afresh.
- (8) On hearing the application, the Supreme Court may—
  - (a) affirm the commission’s decision; or
  - (b) set aside the commission’s decision and grant an extension of time, of no more than 60 days unless there are exceptional circumstances, within which the person may make a submission to the commission on—
    - (i) the draft report or extract from the draft report, or the draft statement or part of the draft statement; and
    - (ii) the related evidence or related evidence summary.
- (9) The Supreme Court must give reasons for the

court's decision, which may be given orally.

(10) In this section—

*information notice*, for a decision, means a written notice stating the following information—

- (a) the decision;
- (b) the reasons for the decision;
- (c) that the person to whom the notice is given may apply to the Supreme Court under subsection (3) in relation to the decision;
- (d) how, and the period within which, the application may be made;
- (e) the effect of subsection (4).

### **69D Other identifying information**

(1) This section applies if—

- (a) the commission proposes to include identifying information about a person in—
  - (i) a commission report required to be tabled in the Legislative Assembly, or published, under section 69; or
  - (ii) a public statement; and
- (b) section 69B does not apply.

(2) Before the commission report is given to a relevant person or the public statement is made, the commission may—

- (a) give the person—
  - (i) in relation to a commission report—
    - (A) a copy of the report in draft form (the *draft report*); or

- (B) an extract from the draft report containing the identifying information; or
- (ii) in relation to a public statement—
  - (A) a copy of the statement in draft form (the *draft statement*); or
  - (B) if the draft statement applies to more than 1 person—the part of the draft statement that applies to the person; and
- (b) give the person a written notice—
  - (i) inviting the person to make a submission to the commission on the draft report or extract from the draft report, or the draft statement or part of the draft statement; and
  - (ii) stating the day, not earlier than 30 days after the notice is given, by which the submission must be made to the commission.
- (3) The commission must consider any submission received from the person by the day stated in the notice.
- (4) If the person makes a submission to the commission in response to the notice mentioned in subsection (2)(b) and the commission still proposes to include the identifying information in the commission report or public statement, the commission must ensure the person’s submission is also fairly stated in the report or statement.
- (5) In this section—

*identifying information* means any comment, information, opinion or other material that identifies a person or from which a person can reasonably be identified.

**20 Amendment of s 71 (Giving other information to parliamentary committee)**

Section 71, ‘a report’—

*omit, insert—*

a commission report given to the chairperson of the committee

**21 Omission of s 71A (Report containing adverse comment)**

Section 71A—

*omit.*

**22 Amendment of s 85AA (Giving notices by email)**

(1) Section 85AA, heading, after ‘email’—

*insert—*

**—general**

(2) Section 85AA(3)(b)(i), ‘the notice under this section; or’—

*omit, insert—*

under this section—

(A) all notices for the investigation, operation or function; or

(B) all notices of a particular type for the investigation, operation or function; or

(C) all notices given during a particular period for the investigation, operation or function; or

(D) a particular notice for the investigation, operation or function; or

(3) Section 85AA(3)(b)(ii)—

*insert—*

(D) a particular notice for the investigation, operation or function.

(4) Section 85AA—

*insert—*

(4A) To remove any doubt, it is declared that the chairperson may give the notice to a person under subsection (2) even if—

- (a) it is a notice to be given to a person that has entered into an agreement with the chairperson under section 85AB(2); and
- (b) the notice is of a particular type to be given to the person by email under the agreement.

(5) Section 85AA(5), after ‘part 10’—

*insert—*

or the Corporations Act

## **22A Insertion of new s 85AB**

After section 85AA—

*insert—*

### **85AB Giving notices by email—agreements**

- (1) This section applies in relation to a notice that may be given under division 1, 2 or 4 in relation to an investigation, operation or function, other than—
  - (a) a notice requiring immediate production of a document or thing; or
  - (b) an attendance notice requiring immediate attendance at a commission hearing.
- (2) The chairperson may enter into an agreement with a person for the purpose of giving notices of a particular type to the person, under this section, by sending the notices to an email address

specified in the agreement.

*Examples of notices of a particular type—*

- notices requiring production of financial records
- notices to produce a document or thing
- notices given under section 83

- (3) In deciding whether to enter into an agreement with a person under subsection (2), the chairperson must have regard to—
  - (a) whether it is appropriate to enter into the agreement; and
  - (b) the ability of the person to maintain the confidentiality of notices of the particular type proposed to be given by email under the agreement; and
  - (c) any involvement by the person in an investigation, operation or function to which notices of the particular type relate; and
  - (d) the number of notices of the particular type proposed to be given by email under the agreement; and
  - (e) any other matter the chairperson considers relevant.
- (4) The chairperson may give a notice to a person by sending the notice by email to the person's email address specified in an agreement entered into under subsection (2).
- (5) This section does not limit the operation of the *Acts Interpretation Act 1954*, part 10 or the *Corporations Act*.
- (6) The *Electronic Transactions (Queensland) Act 2001* does not apply to the giving of a notice under this section.
- (7) To remove any doubt, it is declared that more than 1 email address may be specified in an agreement

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mentioned in subsection (2) for the purpose of giving notices of a particular type to a person under this section.

## **23 Amendment of s 174 (Commission's powers generally)**

(1) Section 174(1), after 'functions'—

*insert—*

, including, for example, the power to make a statement to the public

(2) Section 174—

*insert—*

(2A) The commission's power under subsection (1) in relation to the performance of its corruption functions, and its prevention function to the extent it relates to corruption, does not include power to make a statement to the public about—

(a) a particular complaint about, or information or matter involving, corruption; or

(b) a particular corruption investigation.

*Note—*

See chapter 2, part 6, division 2A.

(3) Section 174(2A) and (3)—

*renumber* as section 174(3) and (4).

## **24 Amendment of s 214 (Unauthorised publication of commission reports)**

(1) Section 214, heading, after 'reports'—

*insert—*

**and other restricted information**

(2) Section 214—

*insert—*

- (2) A person who is given restricted information by the commission under chapter 2, part 6, division 4A must not disclose the information to anyone else unless the person has a reasonable excuse.

*Example of a reasonable excuse—*

giving restricted information to the person's lawyer for the purpose of obtaining legal advice

Maximum penalty—85 penalty units or 1 year's imprisonment.

- (3) In this section—

**commission report** includes an extract from a commission report.

**disclose** includes publish and give access to.

**information** includes a document.

**public statement** includes part of a public statement.

**restricted information** means—

- (a) a copy of a commission report, or a public statement, in draft form; or
- (b) any evidence and other information or material relating to a report or statement mentioned in paragraph (a).

*Example for paragraph (b)—*

related evidence under section 69A

## 25 Amendment of s 256 (Engagement of agents)

Section 256(1), 'To meet temporary circumstances, the'—  
*omit, insert—*

The

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**26 Amendment of s 269 (Delegation—commission)**

Section 269(6), table, '(Commission may prosecute corrupt conduct)'—

*omit, insert—*

(Commission may apply to QCAT about corrupt conduct)

**27 Amendment of s 331 (Effect of pending proceedings)**

Section 331(1)(b), after 'a report'—

*insert—*

, under chapter 2, part 3, division 5 or part 6,

**28 Replacement of s 341 (Personnel changes do not affect commission's power to make findings or report)**

Section 341—

*omit, insert—*

**341 Changes in commission's constitution**

The commission may perform a function, or exercise a power, under this or another Act on the basis of all evidence presented to it, regardless of any change in the constitution of the commission.

**29 Amendment of ch 8, hdg (Repeals and transitional, declaratory, and savings provisions)**

Chapter 8, heading, after 'declaratory,'—

*insert—*

**validation**

**30 Insertion of new ch 8, pt 21**

Chapter 8—

*insert—*

## **Part 21**

# **Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025**

### **470 Definitions for part**

In this part—

*former*, for a provision of this Act, means the provision as in force from time to time before the commencement.

*new*, for a provision of this Act, means the provision as in force from the commencement.

### **471 Validation of past reports**

- (1) This section applies to a report on a particular complaint about, or information or matter involving, corruption or a particular corruption investigation that was—
  - (a) before 13 September 2023, purportedly prepared or made under former section 64; and
  - (b) before the introduction day—
    - (i) tabled in the Legislative Assembly; or
    - (ii) purportedly published under former section 69.
- (2) The report and any accompanying document, and any action taken or decision made by the commission in relation to the report, including publication of the report to another person, is taken to be, and to have always been, as valid and

lawful as it would be or would have been if—

- (a) the report were prepared or made under new section 64A; and
  - (b) the commission had complied with this Act and any other law applying in relation to the preparation and making of the report; and
  - (c) the report were signed by the chairperson under new section 69; and
  - (d) the report and accompanying document were given, and tabled or published, under new section 69.
- (3) For subsection (2)(a), new section 64A(2) is taken not to have applied to the report or the commission's decisions in relation to the report.

- (4) In this section—

**action** includes a failure to take action.

**decision** includes a failure to make a decision.

**introduction day** means the day the Bill for the *Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025* was introduced into the Legislative Assembly.

**report** includes a copy of a report and a report in draft form.

## 472 Validation of past public statements

- (1) This section applies to a statement prepared and made to the public, before 13 September 2023, by the commission about—
  - (a) a particular complaint about, or information or matter involving, corruption; or
  - (b) a particular corruption investigation.
- (2) The statement, and any action taken by the

commission in relation to the statement, is taken to be, and to have always been, as valid and lawful as it would be or would have been if the statement were prepared and made under new section 65A.

- (3) For subsection (2), new section 65A(3) and (4) is taken not to have applied to the statement or the commission's decisions in relation to the statement.

### **473 Application of new provisions in relation to complaints and investigations**

Subject to sections 471 and 472, the new provisions of this Act apply to a complaint about, or information or matter (also a *complaint*) involving, corruption or a corruption investigation—

- (a) whether the complaint was made or notified to the commission before, or is made or notified to the commission after, the commencement; and
- (b) whether the investigation was completed before, or is started before and completed after, the commencement; and
- (c) whether the complaint or investigation relates to conduct that happened, or is suspected to have happened, before the commencement.

### **474 Validation of particular agreements for giving notices by email**

- (1) This section applies if, before the commencement, the chairperson purportedly entered into an agreement with a person for the giving of notices of a particular type to the person by email under former section 85AA.

- (2) The agreement is taken to be, and to have always been, as valid as it would be or would have been if the agreement were entered into under new section 85AB(2).
- (3) The giving of a notice by the commission to the person under the agreement before the commencement is taken to be, and to have always been, as valid and lawful as it would be or would have been if the agreement were entered into under new section 85AB(2).
- (4) Anything done by the person in compliance with a notice given by the commission under the agreement before the commencement is taken to be, and to have always been, as valid and lawful as it would be or would have been if the agreement were entered into under new section 85AB(2).

#### **475 Existing agreements for giving notices by email**

- (1) This section applies if—
  - (a) before the commencement, the chairperson purportedly entered into an agreement with a person for the giving of notices of a particular type to the person by email under former section 85AA; and
  - (b) the chairperson and the person could have entered into the agreement under new section 85AB(2) if that section had been in force; and
  - (c) immediately before the commencement, the agreement was in effect.
- (2) From the commencement, the agreement is taken to be an agreement entered into by the chairperson and the person under new section 85AB(2).

### 31 Amendment of sch 2 (Dictionary)

(1) Schedule 2—

*insert—*

***action***, for chapter 2, part 6, see section 63A.

***adverse comment***, about a person, for chapter 2, part 6, division 4A, see section 69A.

***corruption matter***, for chapter 2, part 6, see section 63A.

***public statement*** see section 65A(1).

***related evidence***, in relation to adverse comment about a person, for chapter 2, part 6, division 4A, see section 69A.

***related evidence summary***, for chapter 2, part 6, division 4A, see section 69B(2)(b).

(2) Schedule 2, definition *commission report*, after ‘part 6’—

*insert—*

and includes the report’s foreword and appendixes

(3) Schedule 2, definition *relevant person*—

*insert—*

(e) in relation to a commission report, for chapter 2, part 6, division 4A, see section 69A.

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## **Part 3**                      **Amendment of Crime and Corruption and Other Legislation Amendment Act 2024**

### **32**      **Act amended**

This part amends the *Crime and Corruption and Other Legislation Amendment Act 2024*.

### **33**      **Omission of s 9 (Amendment of s 50 (Commission may prosecute corrupt conduct))**

Section 9—

*omit.*

*Editor's note—*

Legislation ultimately amended—

- *Crime and Corruption Act 2001*

### **34**      **Omission of s 11 (Amendment of s 69 (Commission reports to be tabled))**

Section 11—

*omit.*

*Editor's note—*

Legislation ultimately amended—

- *Crime and Corruption Act 2001*

### **35**      **Amendment of s 36 (Replacement of s 231 (Duration of appointment))**

Section 36, inserted section 231—

*omit, insert—*

### **231 Duration of commissioners' appointments**

- (1) A commissioner holds office for a non-renewable term, of not more than 7 years, stated in the commissioner's instrument of appointment.
- (2) A person may not be reappointed as a commissioner.

*Editor's note—*

Legislation ultimately amended—

- *Crime and Corruption Act 2001*

## **Part 4 Amendment of other legislation**

### **Division 1 Amendment of Anti-Discrimination Act 1991**

#### **36 Act amended**

This division amends the *Anti-Discrimination Act 1991*.

#### **37 Insertion of new s 285AA**

Chapter 11, part 10, after section 285—

*insert—*

#### **285AA Delayed application of new burden of proof for complaints**

- (1) This section applies in relation to—
  - (a) a complaint made before the relevant commencement that, immediately before the relevant commencement, had not been finally dealt with; or
  - (b) a complaint made after the relevant commencement in relation to an alleged

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contravention of the Act that happened before the relevant commencement.

- (2) New sections 204 and 205 do not apply in relation to the complaint.
- (3) Former sections 204 to 206 continue to apply in relation to the complaint, as if section 47A of the amendment Act had not commenced.
- (4) This section is taken to have applied from 1 December 2024.
- (5) In this section—

*former sections 204 to 206* means sections 204 to 206 of this Act as in force before 1 December 2024.

*new sections 204 and 205* means sections 204 and 205 of this Act as in force from 1 December 2024.

*relevant commencement* means the commencement of section 7B of the amendment Act.

## Division 2                      Amendment of Evidence Act 1977

### 38            Act amended

This division amends the *Evidence Act 1977*.

### 39            Amendment of s 162 (Application of s 94A to sexual offences and domestic violence offences charged before commencement)

- (1) Section 162, heading, ‘before’—

*omit, insert—*

**after**

- (2) Section 162—

*insert—*

*Note—*

See also division 16.

#### 40 Insertion of new pt 9, div 16

Part 9—

*insert—*

### **Division 16      Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025**

#### **172 Application of s 94A to sexual offences charged before s 162 commencement**

- (1) Section 94A applies in relation to a proceeding for a sexual offence charged against the defendant before the section 162 commencement.
- (2) Subsection (1) is taken to have applied from the section 162 commencement.
- (3) To remove any doubt, it is declared that this section applies in addition to section 162.
- (4) In this section—

***section 162 commencement*** means the commencement of section 162.

*Note—*

Section 162 commenced on 23 September 2024.

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## **Division 3                      Amendment of Forensic Science Queensland Act 2024**

### **41        Act amended**

This division amends the *Forensic Science Queensland Act 2024*.

### **42        Amendment of pt 7, hdg**

Part 7, heading, after ‘provisions’—

*insert—*

**for Act No. 8 of 2024**

### **43        Replacement of s 46 (Application of part)**

Section 46—

*omit, insert—*

#### **46    Application of part**

- (1) This part applies to a person who is employed by the department after the commencement as a staff member of Forensic Science Queensland, including a person who was a health service employee or public service employee immediately before being transferred to the department.
- (2) However, this part does not apply or stops applying to a person mentioned in subsection (1) if—
  - (a) the person is employed as an executive employee, including for any period the person is acting in, or seconded to, the position of an executive employee; or

- (b) a new certified agreement, applying to the person as an employee of the department, takes effect.
- (3) A person to whom this part applies is an *initial FSQ employee*.
- (4) In this section—  
*executive employee* means—
  - (a) a senior executive; or
  - (b) a senior officer under the *Public Sector Act 2022*; or
  - (c) a person employed in a position that is equivalent to a position mentioned in paragraph (a) or (b).

*Note—*

See also section 53 in relation to the amendment of this part and the validation of particular things done, or omitted to be done, before the amendment.

#### **44 Replacement of s 50 (Application of public sector directive made after commencement)**

Section 50—

*omit, insert—*

##### **50 Application of public sector directive made after commencement**

This part does not limit a public sector directive made after the commencement from applying to initial FSQ employees or in relation to the terms and conditions of employment of those employees.

#### **45 Insertion of new pt 8**

After part 7—

*insert—*

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## Part 8

# Transitional and validation provision for Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025

### 53 Application of amended part 7 from 1 July 2024

- (1) Amended part 7 is taken to have applied from 1 July 2024.
- (2) Anything done, or omitted to be done, in relation to the employment of a relevant employee that would have been valid and lawful if amended part 7 had been in force from 1 July 2024 is taken to be, and always to have been, valid and lawful.

*Examples of things done for subsection (2)—*

- the payment of a particular benefit or entitlement to a relevant employee
- the approval or cancellation of particular leave for a relevant employee

- (3) In this section—

***amended part 7*** means part 7 as amended by the *Crime and Corruption (Restoring Reporting Powers) and Other Legislation Amendment Act 2025*.

*Note—*

Part 7 commenced on 1 July 2024.

***relevant employee*** means a person employed by the department as a staff member of Forensic Science Queensland from 1 July 2024.

## **Division 4                      Amendment of Police Powers and Responsibilities Act 2000**

### **46        Act amended**

This division amends the *Police Powers and Responsibilities Act 2000*.

### **47        Amendment of s 490 (When DNA sample taken from suspected person and results must be destroyed)**

Section 490(6), ‘sections 490A and 490B’—

*omit, insert—*

sections 490A, 490AA and 490B

### **48        Amendment of s 490A (Modified destruction timeframes for analysing particular DNA samples)**

(1) Section 490A, heading, ‘for analysing particular DNA samples’—

*omit, insert—*

**—DNA samples taken between 13 June 2022 and 13 June 2025**

(2) Section 490A(2), ‘3 years’—

*omit, insert—*

7 years

### **49        Insertion of new s 490AA**

After section 490A—

*insert—*

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**490AA Modified destruction timeframes—DNA samples taken between 14 June 2025 and 14 June 2027**

- (1) This section applies in relation to a DNA sample and the results of a DNA analysis of the sample if—
  - (a) the sample is taken from a person suspected of having committed an indictable offence; and
  - (b) the sample is taken during the period—
    - (i) starting at the beginning of the day on 14 June 2025; and
    - (ii) ending at the end of the day on 14 June 2027.
- (2) Section 490(1)(d) applies in relation to the DNA sample and results as if—
  - (a) the reference to a proceeding for the indictable offence not starting within 1 year after the sample is taken were a reference to the proceeding not starting within 3 years after the sample is taken; and
  - (b) the reference to destroying the sample and results within a reasonably practicable time after the end of 1 year from the day the sample is taken were a reference to destroying the sample and results within a reasonably practicable time after the end of 3 years from the day the sample is taken.
- (3) A reference in this Act or another Act to section 490 includes a reference to section 490 as modified by this section, if the context permits.

**50 Amendment of s 490B (Modified powers and destruction requirements for review of particular DNA samples)**

- (1) Section 490B(7), definition *review period*—

*omit, insert—*

***review period*** means the period—

- (a) starting at the beginning of the day on 4 December 2023; and
- (b) ending at the end of the day on 4 December 2030.

(2) Section 490B—

*insert—*

*Note—*

This section commenced on 4 December 2023.

**51 Amendment of s 898 (Validation for particular DNA samples affected by modifying sections)**

Section 898—

*insert—*

*Note—*

This section commenced on 4 December 2023.

**Division 5 Amendment of Respect at Work and Other Matters Amendment Act 2024**

**52 Act amended**

This division amends the *Respect at Work and Other Matters Amendment Act 2024*.

**53 Amendment of s 2 (Commencement)**

(1) Section 2(2), ‘1 July 2025’—

*omit, insert—*

a day to be fixed by proclamation

(2) Section 2(2)(a), ‘in force on 30 June 2025’—

*omit, insert—*

commenced under subsection (1)

(3) Section 2—

*insert—*

(4) The *Acts Interpretation Act 1954*, section 15DA does not apply to this Act.

#### **54 Amendment of s 51 (Insertion of new ch 11, pt 10)**

Section 51, inserted section 285A—

*omit.*

*Editor’s note—*

Legislation ultimately amended—

- *Anti-Discrimination Act 1991*

## **Division 6 Amendment of Youth Justice Act 1992**

### **55 Act amended**

This division amends the *Youth Justice Act 1992*.

### **56 Amendment of s 6 (Meaning of criminal history of a child)**

(1) Section 6(1)(d), after ‘orders’—

*insert—*

, other than interim orders,

(2) Section 6(4)—

*insert—*

***interim order*** means an order made by—

(a) a magistrate under section 252D(5); or

(b) a court under 252E(3)(c) or (4).

**57 Amendment of s 439 (Criminal histories)**

(1) Section 439(1)(b), after ‘commencement’—

*insert—*

to the extent the finding of guilt formed part of the child’s criminal history under former section 154

(2) Section 439(1)(d), from ‘judicial officer’—

*omit, insert—*

judicial officer—

- (i) in relation to a community based order for a child, includes a decision, finding or order made, or action taken, under former section 245, 246, 246A or 247 before the commencement; or
- (ii) in relation to a child’s contravention of a supervised release order, does not include a decision, finding or order made, or action taken, under former section 252D, 252E or 252F before the commencement.