



Queensland

Family Responsibilities Commission Amendment Bill 2015



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2015

A Bill

for

An Act to amend the *Family Responsibilities Commission Act 2008* for particular purposes

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Family Responsibilities Commission Amendment Act 2015</i> .	3 4
Clause 2	Act amended	5
	This Act amends the <i>Family Responsibilities Commission Act 2008</i> .	6 7
Clause 3	Amendment of s 24 (Delegation by commissioner)	8
	Section 24—	9
	<i>insert—</i>	10
	(2A) In addition, the commissioner may delegate the commissioner’s functions for a conference to the chairperson of the commission for the conference if—	11 12 13 14
	(a) the commissioner makes a direction under section 50A(1) for the conference; and	15 16
	(b) the chairperson is appropriately qualified to perform the commissioner’s functions for the conference.	17 18 19
	(2B) For subsection (2A), the reference to the commissioner’s functions includes the commissioner’s functions relating to an income management decision.	20 21 22 23
Clause 4	Amendment of s 34 (Eligibility for appointment as registrar)	24 25
	Section 34, from ‘if the person is—’—	26
	<i>omit, insert—</i>	27

	if the person—	1
	(a) has an appropriate understanding of the history and culture of Aboriginal people and Torres Strait Islanders; and	2 3 4
	(b) is—	5
	(i) a lawyer; or	6
	(ii) otherwise—appropriately qualified to perform the functions of the registrar.	7 8
Clause 5	Amendment of s 37 (Delegation by registrar)	9
	Section 37(2), definition <i>appropriately qualified</i> —	10
	<i>omit.</i>	11
Clause 6	Replacement of s 43 (Notice about offences)	12
	Section 43—	13
	<i>omit, insert—</i>	14
	43 Court advice notices	15
	(1) This section applies if—	16
	(a) a court—	17
	(i) convicts a person of an offence; or	18
	(ii) makes a protection order against a person; and	19 20
	(b) for a person convicted of the offence who is a child—publication of identifying information about the child is not prohibited under the <i>Youth Justice Act 1992</i> , section 299A or 301; and	21 22 23 24 25
	(c) at least 1 of the following applies—	26
	(i) the court was sitting in a welfare reform community area, Cooktown or Mossman;	27 28 29

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- (ii) the court officer learns that the person lives, or at any time after the start day has lived, in a welfare reform community area;
 - (iii) if the person is a child—the court officer learns that a parent of the child lives, or at any time after the start day has lived, in a welfare reform community area.
- (2) The court officer must give the commission a notice (a *court advice notice*) that states—
 - (a) if the court convicted the person of an offence—
 - (i) the offence that the person was convicted of; and
 - (ii) the day on which the court convicted the person; and
 - (b) if the court made a protection order against the person—
 - (i) the conditions (if any) of the protection order; and
 - (ii) the day on which the court made the protection order; and
 - (c) the person’s name and address; and
 - (d) information that identifies the court—
 - (i) that convicted the person; or
 - (ii) made the protection order against the person; and
 - (e) information that identifies—
 - (i) the place where the conduct that is the subject of the conviction or protection order happened; or

-
- (ii) the welfare reform community area mentioned in subsection (1)(c)(ii) or (iii). 1
2
3
 - (3) The court officer must give the notice as soon as practicable, but not more than 10 business days, after the later of the following— 4
5
6
 - (a) the court— 7
 - (i) convicts the person; or 8
 - (ii) makes the protection order against the person; 9
10
 - (b) the court officer learns that the person or, if the person is a child, a parent of the child lives, or at any time after the start day has lived, in a welfare reform community area. 11
12
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14
 - (4) In this section— 15

conviction, in relation to a child, means a finding of guilt within the meaning of the *Youth Justice Act 1992*. 16
17
18

court means— 19

 - (a) the Childrens Court; or 20
 - (b) the District Court; or 21
 - (c) a Magistrates Court; or 22
 - (d) the Supreme Court. 23

court officer means— 24

 - (a) for a court that convicts a person— 25
 - (i) for the Childrens Court—the registrar or the clerk of the court; or 26
27
 - (ii) for the District Court—the registrar of the court; or 28
29
 - (iii) for a Magistrates Court—the clerk of the court; or 30
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	(iv) for the Supreme Court—the registrar of the court; or	1 2
	(b) otherwise—a clerk as defined in the <i>Domestic and Family Violence Protection Act 2012</i> , schedule.	3 4 5
	identifying information see the <i>Youth Justice Act 1992</i> , schedule 4.	6 7
	protection order see the <i>Domestic and Family Violence Protection Act 2012</i> , schedule.	8 9
	start day means—	10
	(a) for subsection (1)(c)(iii), in relation to a child convicted of an offence—28 November 2014; or	11 12 13
	(b) otherwise—the day on which this definition commences.	14 15
Clause 7	Amendment of schedule (Dictionary)	16
	(1) Schedule, definition <i>conviction notice</i> — <i>omit.</i>	17 18
	(2) Schedule— <i>insert—</i>	19 20
	<i>court advice notice</i> see section 43.	21
	(3) Schedule, definition <i>agency notice</i> , paragraph (d)— <i>omit, insert—</i>	22 23
	(d) court advice notice;	24
	(4) Schedule, definition <i>relevant person</i> , paragraph (d)— <i>omit, insert—</i>	25 26
	(d) for a court advice notice—	27
	(i) if the person who is the subject of the notice is a child—any parent of the child, or the child; or	28 29 30

[s 7]

- (ii) otherwise—the person who is the subject of the notice; or

1
2

Schedule 1	CDEP Scheme participant amendments	1 2
	section 2	3
1	Section 8(c)— <i>omit.</i>	4 5
2	Section 68(3)— <i>omit.</i>	6 7
3	Section 69(3)— <i>omit.</i>	8 9
4	Section 87(3)— <i>omit.</i>	10 11
5	Section 108(3)— <i>omit.</i>	12 13
6	Schedule, definition <i>CDEP Scheme participant</i>— <i>omit.</i>	14 15