

THIS PUBLIC BILL has this day been read a Third time and passed

The Clerk of the Parliament.

*Legislative Assembly Chamber,
Brisbane, June 2025*



Queensland

**No.
A BILL for**

An Act to amend the Marine Rescue Queensland Act 2024, the Police Powers and Responsibilities Act 2000, the Public Sector Act 2022, the State Emergency Service Act 2024 and the Terrorism (Preventative Detention) Act 2005 for particular purposes



Queensland

Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025

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2025

A Bill

for

An Act to amend the *Marine Rescue Queensland Act 2024*, the *Police Powers and Responsibilities Act 2000*, the *Public Sector Act 2022*, the *State Emergency Service Act 2024* and the *Terrorism (Preventative Detention) Act 2005* for particular purposes

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Act 2025*.

2 Commencement

Part 3 commences on a day to be fixed by proclamation.

Part 2 Amendment of Marine Rescue Queensland Act 2024

3 Act amended

This part amends the *Marine Rescue Queensland Act 2024*.

4 Insertion of new s 28A

Part 4—

insert—

28A MRQ is charitable institution

MRQ is a charitable institution in relation to a gift, donation, bequest or legacy to MRQ under a trust instrument or other document.

section 39C(3)

10 Insertion of new s 39BA

After section 39B—

insert—

39BA Use of hand held scanner without warrant in relevant places

- (1) A police officer may, without a warrant, require a person to stop and submit to the use of a hand held scanner in a public place at, in or on any of the following places (each a *relevant place*)—
 - (a) licensed premises;
 - (b) a public transport station;
 - (c) a public transport vehicle;
 - (d) retail premises;
 - (e) a safe night precinct;
 - (f) a shopping centre;
 - (g) a sporting or entertainment venue.
- (2) If a police officer starts to exercise a power in relation to a person under subsection (1) while at, in or on a relevant place, the police officer may continue to exercise the power in a public place in relation to the person, even if the person leaves the relevant place.

11 Amendment of s 39C (Use of hand held scanner authorised by senior police officer)

- (1) Section 39C, heading—

omit, insert—

39C Authorisation by senior police officer

- (2) Section 39C(1), from 'any of'—

omit, insert—

a public place, other than a relevant place under section 39BA(1).

- (3) Section 39C(2), from 'if—'—

omit, insert—

if the senior police officer considers the use of a hand held scanner at, in or on the public place is likely to be effective to detect or deter the commission of an offence involving the possession or use of a knife or other weapon.

- (4) Section 39C(3) to (5)—

omit.

- (5) Section 39C(6)—

renumber as section 39C(3).

12 Amendment of s 39D (Form and effect of hand held scanner authority)

- (1) Section 39D(1)(a), after 'starts'—

insert—

and ends

- (2) Section 39D(1)(b)—

omit, insert—

(b) the address, place name or description of the public place for which the authority is issued; and

(c) the reasons for which the authority is issued for the public place.

13 Replacement of ss 39E–39FC

Sections 39E to 39FC—

omit, insert—

39E Authorised use of hand held scanner without warrant in stated public places

- (1) This section applies if a hand held scanner authority is in effect for a stated public place under section 39C.
- (2) A police officer may, without a warrant, require a person to stop and submit to the use of a hand held scanner in a public place at, in or on the stated public place.
- (3) If a police officer starts to exercise a power in relation to a person under subsection (2) while at, in or on the stated public place, the police officer may continue to exercise the power in a public place in relation to the person, even if the person leaves the stated place.

14 Amendment of s 39G (Requirements if hand held scanner indicates metal)

- (1) Section 39G(1)(a), 'a hand held scanner authority'—

omit, insert—

section 39BA or 39E

- (2) Section 39G(2), notes—

omit, insert—

Note—

See sections 29 and 30(1)(l) for the power to search a person without a warrant.

15 Amendment of s 39H (Safeguards for exercise of powers)

- (1) Section 39H(1), 'a hand held scanner authority'—

omit, insert—

section 39BA or 39E

(2) Section 39H(4)(e)—

omit, insert—

- (e) inform the person that a failure to comply with a requirement under section 39BA, 39E or 39G is a prescribed circumstance under section 30(1)(l).

Note—

See sections 29 and 30(1)(l) for the power to search a person without a warrant.

(3) Section 39H(6)—

omit.

16 Omission of ss 39I and 39J

Sections 39I and 39J—

omit.

17 Omission of s 39L (Expiry of particular provisions)

Section 39L—

omit.

18 Amendment of s 808C (Annual report to include information about authorisation of hand held scanners)

- (1) Section 808C, heading, ‘authorisation of’—

omit.

- (2) Section 808C(1)(b)—

omit.

- (3) Section 808C(1)(c)(i) to (iv), ‘the authorities’—

omit, insert—

section 39BA or 39E

- (4) Section 808C(1)(c)—

renumber as section 808C(1)(b).

19 Amendment of sch 6 (Dictionary)

Schedule 6, definition *hand held scanner authority*, 'section 39C(6)'—

omit, insert—

section 39C(3)

Part 3A Amendment of Public Sector Act 2022

19A Act amended

This part amends the *Public Sector Act 2022*.

19B Amendment of ch 9, hdg (Repeal, savings and transitional provisions)

Chapter 9, heading, 'savings and transitional'—

omit, insert—

transitional, declaratory and validating

19C Amendment of ch 9, pt 2, hdg (Savings and transitional provisions for Act No. 34 of 2022)

Chapter 9, part 2, heading, 'Savings and transitional'—

omit, insert—

Transitional

19D Insertion of new ch 9, pt 4

Chapter 9—

insert—

Part 4 **Declaratory and
validating provisions
for Police Powers and
Responsibilities
(Making Jack's Law
Permanent) and Other
Legislation
Amendment Act 2025**

Division 1 **Preliminary**

330 Definitions for part

In this part—

fire commissioner means the commissioner under the *Fire Services Act 1990*.

fire services department means the department in which the *Fire Services Act 1990* is administered.

repealed Act means the repealed *Public Service Act 2008*.

331 Particular references

In this part—

- (a) a reference to the *Fire Services Act 1990* is a reference to that Act as in force from time to time; and
- (b) a reference to a provision of the repealed Act is a reference to the provision as in force from time to time

Division 2 Provisions relating to Fire Services Act 1990

332 Particular fire commissioner

- (1) This section applies in relation to a person who—
 - (a) before the commencement, was appointed under the *Fire Services Act 1990* as a fire commissioner; and
 - (b) was, under the repealed Act, section 94, appointed or purportedly appointed by the relevant Minister to act, during the validation period, as the chief executive of the fire services department.
- (2) It is declared that, despite the *Fire Services Act 1990*—
 - (a) the relevant Minister is taken to have always had the power to appoint the person to act, during the validation period, as the chief executive of the fire services department; and
 - (b) the person is taken to have been validly appointed under the repealed Act, section 94 to act, during the validation period, as the chief executive of the fire services department.
- (3) Anything done or omitted to be done by the person, or another entity, during the validation period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed under the repealed Act, section 94 to act as the chief executive of the fire services department for that period.
- (4) Anything done or omitted to be done by an entity, relying on the validity of a decision made or other

thing done by the person or an entity during the validation period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act as the chief executive of the fire services department under the repealed Act, section 94 when the decision was made or other thing done.

(5) In this section—

relevant Minister means the Minister administering the fire services department when the appointment or purported appointment mentioned in subsection (1)(b) was made.

validation period means the period from 1 November 2013 to 30 June 2014, both days inclusive.

333 Particular acting fire commissioners—1 November 2013 to 20 May 2014

(1) This section applies in relation to a person who, during the validation period—

(a) was, under the *Fire Services Act 1990*, appointed or purportedly appointed by the relevant Minister to act in the office of fire commissioner for a particular period (the *acting period*); and

(b) was, under the repealed Act, section 94, appointed or purportedly appointed by the relevant Minister to act as the chief executive of the fire services department for the acting period.

(2) It is declared that, despite the *Fire Services Act 1990*—

(a) the relevant Minister is taken to have always had the power to appoint the person to act in

both of the following offices (each a **relevant office**) for the acting period—

- (i) the office of fire commissioner;
 - (ii) the chief executive of the fire services department; and
- (b) the person is taken to have been validly appointed, under the *Fire Services Act 1990*, to act in the office of fire commissioner for the acting period; and
- (c) the person is taken to have been validly appointed under the repealed Act, section 94 to act as the chief executive of the fire services department for the acting period.
- (3) Anything done or omitted to be done by the person, or another entity, during the acting period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act in both of the relevant offices for that period.
- (4) Anything done or omitted to be done by an entity, relying on the validity of a decision made, or other thing done, by the person or an entity during the acting period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act in both of the relevant offices when the decision was made or other thing done.
- (5) In this section—

relevant Minister, in relation to an appointment or purported appointment, means the Minister administering the fire services department when the appointment or purported appointment was made.

validation period means the period from 1 November 2013 to 20 May 2014, both days inclusive.

**334 Particular acting fire commissioners—1
November 2013 to 30 June 2014**

- (1) This section applies if—
 - (a) during the validation period, a person was appointed under the *Fire Services Act 1990* to act in the office of fire commissioner for a particular period (the *acting period*); and
 - (b) no one was appointed, or purportedly appointed, under the repealed Act, section 94 to act as the chief executive of the fire services department for the acting period.
- (2) Subsection (3) applies if the person was appointed under the *Fire Services Act 1990* to act in the office of fire commissioner before 21 May 2014.
- (3) It is declared that, despite the *Fire Services Act 1990*, the person is taken to have been validly appointed under the repealed Act, section 94 to act as the chief executive of the fire services department for the acting period.
- (4) Subsection (5) applies if the person was appointed under the *Fire Services Act 1990* to act in the office of fire commissioner on or after 21 May 2014.
- (5) It is declared that the person is taken to have been validly appointed under the repealed Act, section 94 to act as the chief executive of the fire services department for the acting period.
- (6) Anything done or omitted to be done by the person, or another entity, during the acting period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act as the chief executive of the fire services department under the repealed Act, section 94 for that period.
- (7) Anything done or omitted to be done by an entity, relying on the validity of a decision made, or other

thing done, by the person or an entity during the acting period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act as the chief executive of the fire services department under the repealed Act, section 94 when the decision was made or other thing done.

(8) In this section—

validation period means the period from 1 November 2013 to 30 June 2014, both days inclusive.

Division 3 Provisions relating to Police Service Administration Act 1990

335 Particular commissioners under Police Service Administration Act 1990

- (1) This section applies in relation to a person who, during the validation period—
 - (a) was appointed as commissioner of the police service under the *Police Service Administration Act 1990*, section 4.2; and
 - (b) was not declared to be the chief executive of the Queensland Police Service under the repealed Act, section 95.
- (2) It is declared that the person is taken to have been validly declared under the repealed Act, section 95 to be the chief executive of the Queensland Police Service for the person's appointment period.
- (3) Anything done or omitted to be done by the person, or another entity, during the person's appointment period is taken to be, and to have

always been, as valid and lawful as it would be or would have been had the person been validly declared to be the chief executive of the Queensland Police Service under the repealed Act, section 95 for that period.

- (4) Anything done or omitted to be done by an entity, relying on the validity of a decision made, or other thing done, by the person or an entity during the person's appointment period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly declared to be the chief executive of the Queensland Police Service under the repealed Act, section 95 when the decision was made or other thing done.
- (5) In this section—

appointment period, in relation to a person, means the period, during the validation period, the person held office as the commissioner of the police service under the *Police Service Administration Act 1990*.

validation period means the period from 1 November 2012 to 28 February 2023, both days inclusive.

336 Particular acting commissioners under Police Service Administration Act 1990

- (1) This section applies if—
- (a) during the validation period, a person was appointed to act as commissioner of the police service under the *Police Service Administration Act 1990*, section 4.11 for a particular period (the *acting period*); and
- (b) no one was appointed, under the repealed Act, section 94 to act as the chief executive

**21 Replacement of pt 6, hdg (Transitional provisions for
Emergency Services Reform Amendment Act 2024)**

Part 6, heading—

omit, insert—

**Part 6 Transitional and
validation provisions**

**Division 1 Transitional provisions for
Emergency Services
Reform Amendment Act
2024**

22 Amendment of s 50 (Definitions for part)

(1) Section 50, heading, 'part'—

omit, insert—

division

(2) Section 50, 'this part'—

omit, insert—

this division

23 Insertion of new pt 6, div 2

Part 6—

insert—

**Division 2 Validation provisions for
Police Powers and
Responsibilities (Making
Jack's Law Permanent)**

and Other Legislation Amendment Act 2025

58 Validation provision for purported appointment of former SES member

- (1) This section applies if, before the relevant commencement, a person (the *appointee*) was purportedly appointed as a member of the former SES under the *Fire Services Act 1990*, former section 132.

Note—

The *Fire Services Act 1990* was previously titled the *Fire and Emergency Services Act 1990*.

- (2) Without limiting subsection (1), this section applies if the purported appointment was made by a person purporting to perform the delegated function of the QFES commissioner under the *Fire Services Act 1990*, former section 132.
- (3) The appointee is taken to have been validly appointed until—
 - (a) if the purported appointment had ended on a day before the relevant commencement—the end of that day; or
 - (b) if paragraph (a) does not apply—the relevant commencement.
- (4) Anything done or omitted to be done by the appointee during the period of the purported appointment that would have been valid and lawful under the former Act had the appointee been validly appointed as a member of the former SES is taken to be, and always to have been, valid and lawful.
- (5) In this section—

former, in relation to a provision, means the

provision as in force from time to time before the relevant commencement.

former Act means the *Fire Services Act 1990* as in force from time to time before the relevant commencement.

former SES means the State Emergency Service established under the *Fire Services Act 1990*, former section 129.

QFES commissioner means the commissioner appointed under the *Fire Services Act 1990*, former section 5.

relevant commencement means the commencement of section 51.

59 Validation provision for purported appointment of particular SES members

- (1) This section applies if a person (the *appointee*) was at any time purportedly appointed as a member of the SES under section 16 by a person purporting to perform the delegated function of the commissioner under that section.
- (2) The appointee is taken to have been validly appointed.
- (3) Anything done or omitted to be done by the appointee during the period of the purported appointment that would have been valid and lawful under this Act had the appointee been validly appointed as a member of the SES is taken to be, and always to have been, valid and lawful.

Part 5

Amendment of Terrorism (Preventative Detention) Act 2005

24 Act amended

This part amends the *Terrorism (Preventative Detention) Act 2005*.

25 Amendment of s 83 (Sunset provision)

(1) Section 83, heading—

omit, insert—

83 Expiry

(2) Section 83(1), from 'at'—

omit, insert—

on 16 December 2040.

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