



Queensland

Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026

Act No. 4 of 2026

An Act to amend the Criminal Code, the Penalties and Sentences Act 1992, the Police Powers and Responsibilities Act 2000, the Police Service Administration Regulation 2016, the Queensland Community Safety Act 2024, the Weapons Act 1990, the Weapons Regulation 2016, the Youth Justice Act 1992 and the legislation mentioned in schedule 1 for particular purposes

[Assented to 11 March 2026]



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Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026

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The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026*.

2 Commencement

The following provisions commence on a day to be fixed by proclamation—

- (a) sections 29 to 31;
- (b) sections 55 and 56;
- (c) section 62(2);
- (d) section 64(1);
- (e) section 66(6);
- (f) section 73;
- (g) sections 76 to 90;
- (h) section 91(1), (3) and (6) to (8);
- (i) section 92(1);
- (j) sections 93 to 102;
- (k) sections 103 to 105;
- (l) section 107;
- (m) section 109;
- (n) section 110 to the extent it inserts new sections 202 and 204 to 206;

- (o) section 112(1) and (3);
- (p) part 8;
- (q) schedule 1, amendments 1, 3 and 4 of the *Judicial Review Act 1991*.

Part 2 Amendment of Criminal Code

3 Code amended

This part amends the Criminal Code.

4 Amendment of s 52C (Prohibited symbols)

- (3) Section 52C(1)—

insert—

(aa) used by a prescribed organisation, or a member of a prescribed organisation, to identify the organisation or any part of the organisation; or

- (4) Section 52C(1)(b), from ‘referred’—

omit, insert—

or image mentioned in paragraph (a) or (b) that it is likely to be confused with or mistaken for that symbol or image.

- (5) Section 52C(1)(aa) and (b)—

renumber as section 52C(1)(b) and (c).

- (7) Section 52C(2)(a)—

omit, insert—

(a) must prescribe the symbol or image as—

- (i) a graphic representation of the symbol or image; or

-
- (ii) a description of the symbol or image;
or
 - (iii) a combination of the matters mentioned in subparagraphs (i) and (ii); and
- (10) Section 52C(4), from ‘Also’ to ‘the recommendation,’—
omit, insert—
- In addition, before recommending to the Governor in Council the making of a regulation under subsection (1)(a), the Minister must
- (11) Section 52C(5)—
insert—
- prescribed organisation*** see section 52CA.

5 Insertion of new s 52CA

After section 52C—

insert—

52CA Prescribed organisations

- (1) A ***prescribed organisation*** is an entity prescribed by regulation for this section.
- (2) The Minister may recommend to the Governor in Council the making of a regulation under subsection (1) only if the recommendation is to prescribe—
 - (a) a particular state sponsor of terrorism or terrorist organisation; or
 - (b) a class of state sponsors of terrorism or terrorist organisations; or
 - (c) all state sponsors of terrorism or terrorist organisations.
- (3) Subsection (4) applies if—

[s 6]

- (a) the Minister prescribes an entity as a prescribed organisation; and
 - (b) the entity stops being a state sponsor of terrorism or a terrorist organisation.
- (4) The entity stops being a prescribed organisation.
- (5) In this section—

state sponsor of terrorism means a state sponsor of terrorism as defined in the Criminal Code (Cwlth), section 110.3(1).

terrorist organisation means an organisation mentioned in the Criminal Code (Cwlth), section 102.1(1), definition *terrorist organisation*, paragraph (b).

6 **Amendment of s 52D (Display, distribution or publication of prohibited symbols)**

- (1) Section 52D, heading, from ‘Display’ to ‘publication’—
omit, insert—

Distribution, publication or display

- (2) Section 52D(1)—
omit, insert—

- (1) This section applies to a person if—
- (a) the person publicly distributes, publishes or publicly displays a prohibited symbol in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended; and
 - (b) for a relevant prohibited symbol—the person knew, or ought reasonably to have known, when the person distributed, published or displayed the symbol, that the symbol was used by a prescribed organisation, or a member of a prescribed

organisation, to identify the organisation or any part of the organisation.

- (1A) The person commits an offence, unless the person has a reasonable excuse.

Maximum penalty—150 penalty units or 2 years imprisonment.

- (3) Section 52D(2) and (3), ‘subsection (1)’—

omit, insert—

subsection (2)

- (4) Section 52D(5), ‘subsection (1)’—

omit, insert—

subsections (1) and (2)

- (5) Section 52D—

insert—

- (6) In this section—

relevant prohibited symbol means—

- (a) a prohibited symbol mentioned in section 52C(1)(b); or
- (b) a prohibited symbol mentioned in section 52C(1)(c) that so nearly resembles a symbol mentioned in paragraph (a) that it is likely to be confused with or mistaken for that symbol.

prescribed organisation see section 52CA.

- (6) Section 52D(1A) to (6)—

renumber as section 52D(2) to (7).

7 Insertion of new s 52DA

After section 52D—

insert—

52DA Recital, distribution, publication or display of prohibited expressions

- (1) A person who publicly recites, publicly distributes, publishes or publicly displays a prohibited expression in a way that might reasonably be expected to cause a member of the public to feel menaced, harassed or offended commits an offence, unless the person has a reasonable excuse.

Maximum penalty—150 penalty units or 2 years imprisonment.

- (2) Without limiting what may be a reasonable excuse for subsection (1), a person has a reasonable excuse if—

(a) any of the following apply—

- (i) the person engaged in the conduct that is alleged to constitute the offence for a genuine artistic, religious, educational, historical, legal or law enforcement purpose;
- (ii) the person engaged in the conduct that is alleged to constitute the offence for a purpose that is in the public interest;

Examples for subparagraph (ii)—

- publication of a fair and accurate report of an event or matter of public interest
- a genuine political or other genuine public dispute or issue carried on in the public interest

- (iii) the person engaged in the conduct that is alleged to constitute the offence in opposition to the ideology represented by the prohibited expression; and

(b) the person's conduct was, in the circumstances, reasonable for that purpose.

- (3) An evidential burden is placed on the defendant in relation to showing a reasonable excuse for subsection (1).
- (4) For subsection (1), a person publicly recites or publicly displays a prohibited expression if the person—
 - (a) recites or displays the expression—
 - (i) in a place that the public is entitled to use, is open to members of the public or is used by the public, whether or not on payment of money; or
 - (ii) in a place the occupier of which allows, whether or not on payment of money, members of the public to enter; or
 - (b) recites or displays the expression in a way that is audible or visible from a place mentioned in paragraph (a).
- (5) To remove any doubt, it is declared that, for subsection (1)—
 - (a) the offence is committed at the time when the person recites, distributes, publishes or displays the prohibited expression; and
 - (b) it is irrelevant whether or not a member of the public has heard or seen the prohibited expression because of the recital, distribution, publication or display.
- (6) In this section—

prohibited expression means either of the following expressions—

 - (a) ‘from the river to the sea’;
 - (b) ‘globalise the intifada’.

8 Replacement of s 206 (Offering violence to officiating ministers of religion)

Section 206—

omit, insert—

206 Assaults of ministers of religion

- (1) A person who unlawfully assaults a minister of religion and hinders or prevents the minister from—
- (a) lawfully officiating at a meeting of persons lawfully assembled for religious worship; or
 - (b) lawfully officiating at a religious ceremony; or

Examples of a religious ceremony—

wedding, funeral or other religious rite in relation to the burial of a deceased person

- (c) lawfully performing another religious function of the minister's office;

Examples of a religious function of a minister's office—

pastoral care, religious education, spiritual counselling

commits a misdemeanour.

Maximum penalty—5 years imprisonment.

Note—

See also part 5, chapter 26.

- (2) In this section—

religious function, of the office of a minister of religion, does not include an administrative, financial or managerial function of the office.

206A Intimidating or obstructing persons entering or leaving places of religious worship

- (1) A person in, or in the vicinity of, a place of

religious worship who, without reasonable excuse, intimidates or obstructs a person—

- (a) entering, or attempting to enter, the place to attend a meeting of persons lawfully assembled for religious worship; or
- (b) leaving, or attempting to leave, the place after attending all or part of a meeting of persons lawfully assembled for religious worship;

commits an offence.

Maximum penalty—3 years imprisonment.

- (2) A reference in subsection (1)(a) to entering, or attempting to enter, a place of religious worship to attend a meeting of persons includes a reference to entering, or attempting to enter, the place before the meeting starts or before any other persons have assembled.

- (3) In this section—

intimidate includes harass.

obstruct includes hinder, prevent and attempt to obstruct.

9 Amendment of s 207 (Disturbing religious worship)

- (1) Section 207(1)—

omit, insert—

- (1) A person who, without reasonable excuse, wilfully disturbs a meeting of persons lawfully assembled for religious worship commits an offence.

Maximum penalty—20 penalty units or 6 months imprisonment.

- (2) Section 207(2), ‘6 months’—

omit, insert—

1 year

10 Amendment of s 398 (Punishment of stealing)

(1) Section 398, punishment in special cases, clause 14—
omit.

(2) Section 398, punishment in special cases, clause 15, ‘10 years’—
omit, insert—

14 years

11 Amendment of s 469 (Wilful damage)

Section 469, punishment in special cases—
insert—

13 Places of religious worship

If—

- (a) the property in question is premises; and
- (b) the premises are a place of religious worship;

the offender commits a crime.

Maximum penalty—7 years imprisonment.

12 Amendment of s 540 (Preparation to commit crimes with dangerous things)

(1) Section 540, after ‘possession of,’—
insert—

a dangerous or offensive weapon or instrument or

(2) Section 540(a) and (b), before ‘thing’—
insert—

weapon, instrument or

13 Insertion of new s 540A

After section 540—

insert—

540A Preparation or planning to cause death or grievous bodily harm

- (1) A person who does any act in preparation for, or planning, an offence that would be likely to cause the death of, or grievous bodily harm to, another person commits a crime.

Maximum penalty—14 years imprisonment.

- (2) A person commits a crime under subsection (1) even if—
- (a) the offence does not occur; or
 - (b) the person's act is not done in preparation for, or planning, a specific offence; or
 - (c) the person's act is done in preparation for, or planning, more than 1 offence.

14 Amendment of s 552BB (Excluded offences)

Section 552BB, table, entry for section 398, column 3, item 3—

omit.

15 Insertion of new ch 114

After chapter 113—

insert—

Chapter 114 Transitional provisions for Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026

770 Prosecution of prohibited symbols offence if entity stops being a prescribed organisation

- (1) This section applies if—
 - (a) a person is charged with an offence against new section 52D involving a prohibited symbol used by a prescribed organisation or a member of a prescribed organisation; and
 - (b) before the end of the proceeding for the offence, the prescribed organisation stops being a prescribed organisation under new section 52CA(4).
- (2) Without limiting the *Acts Interpretation Act 1954*, section 20, a proceeding for the offence may be continued or started, and the person may be convicted of and punished for the offence, as if the prescribed organisation had not stopped being a prescribed organisation.
- (3) Subsection (2) applies despite section 11.
- (4) In this section—
new, in relation to a provision of this Act, means

(2) Schedule 1C, entry for *Weapons Act 1990*—

insert—

- section 56A (Reckless discharge of weapon towards building or vehicle)

Part 4 **Amendment of Police Powers and Responsibilities Act 2000**

18 **Act amended**

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

Note—

See also the amendments in schedule 1.

19 **Amendment of s 30 (Prescribed circumstances for searching persons without warrant)**

Section 30(1)(ha), after ‘section 52D’—

insert—

or 52DA

20 **Amendment of s 32 (Prescribed circumstances for searching vehicle without warrant)**

Section 32(2)(a)(ii), after ‘section 52D’—

insert—

or 52DA

21 **Amendment of s 221A (Definitions for chapter)**

Section 221A, definition *controlled activity offence*, paragraph (a)—

omit, insert—

- (a) a three year imprisonment offence; or

22 Amendment of s 228 (Purposes of ch 11)

Section 228(a)—

omit, insert—

- (a) to provide for the authorisation, conduct and monitoring of controlled operations, including operations conducted in this and 1 or more other jurisdictions, for any of the following purposes—
- (i) obtaining evidence that may lead to the prosecution of persons for relevant offences;
- (ii) frustrating the commission of relevant offences; and

23 Amendment of s 229 (Definitions for ch 11)

- (1) Section 229—

insert—

frustrate includes disrupt or prevent.

- (2) Section 229, definition *controlled operation*, paragraph (a)—

omit, insert—

- (a) is conducted, or intended to be conducted, for any of the following purposes—
- (i) obtaining evidence that may lead to the prosecution of a person for a relevant offence;
- (ii) frustrating the commission of a relevant offence; and

- (3) Section 229, definition *relevant offence*, paragraph (a)—

omit, insert—

- (a) a three year imprisonment offence; or

24 Amendment of s 230 (Relationship to other laws and matters)

Section 230(1)(a)—

omit, insert—

- (a) that are for any of the following purposes—
- (i) obtaining evidence that may lead to the prosecution of a person for a relevant offence;
 - (ii) frustrating the commission of a relevant offence;

25 Amendment of s 237 (Committee recommendations)

Section 237(2), from ‘seriousness’—

omit, insert—

seriousness of a relevant offence to which the application relates, it is appropriate for persons to engage in controlled conduct for any of the following purposes—

- (a) obtaining evidence that may lead to the conviction of a person for the offence;
- (b) frustrating the commission of the offence.

26 Amendment of s 258 (Protection from criminal responsibility for controlled conduct during authorised operations)

Section 258(2)(c)—

omit, insert—

- (c) take advantage of an opportunity to—

- (i) obtain evidence about a relevant offence not mentioned in the authority;
or
- (ii) frustrate the commission of a relevant offence not mentioned in the authority.

27 Amendment of s 322 (Definitions for ch 13)

Section 322, definition *three year imprisonment offence*—
omit.

28 Amendment of s 323 (Meaning of *relevant offence*)

(1) Section 323(1)(a)—

omit, insert—

(a) a three year imprisonment offence; or

(2) Section 323(2) and (3)—

omit.

29 Amendment of s 740 (Public interest monitor)

Section 740(1)(e), ‘making’—

omit, insert—

use

30 Amendment of s 743 (Monitor’s annual report)

(1) Section 743(3BA)(a) to (c)—

omit, insert—

(a) the number of firearm prohibition orders made or revoked under the *Weapons Act 1990*, section 141G during the year;

(b) the number of reviews started under the *Weapons Act 1990*, part 6, division 2 or the

[s 31]

Judicial Review Act 1991 during the year in relation to the making of a firearm prohibition order under the *Weapons Act 1990*, section 141G;

- (2) Section 743(3BA)(d) and (e), ‘part 5A, division 4 of that Act’—

omit, insert—

the *Weapons Act 1990*, part 5A, division 4

- (3) Section 743(3BA)(f), ‘section 141W of that Act’—

omit, insert—

the *Weapons Act 1990*, section 141W

- (4) Section 743(3BA)(g), ‘part 5A, division 4 of that Act’—

omit, insert—

the *Weapons Act 1990*, part 5A, division 4

- (5) Section 743(3BA)(d) to (h)—

renumber as section 743(3BA)(c) to (g).

31 Insertion of new ch 24, pt 28

Chapter 24—

insert—

Part 28

Transitional provision for Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026

901 Monitor's annual report for particular financial year

- (1) This section applies to a report prepared by the public interest monitor under new section 743 in relation to a financial year beginning before the commencement.
- (2) In addition to the matters mentioned in new section 743(3BA), the report must include the matters mentioned in former section 743(3BA).
- (3) In this section—

former section 743(3BA) means section 743(3BA) as in force immediately before the commencement.

new, in relation to a provision of this Act, means the provision as in force from the commencement.

32 Omission of sch 2, s 1AA (Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004)

Schedule 2, section 1AA—

omit.

33 Replacement of sch 2, s 1 (Classification of Computer Games and Images Act 1995)

Schedule 2, section 1—

omit, insert—

1 Classification of Computer Games and Images Act 1995

An offence against the *Classification of Computer Games and Images Act 1995*, section 26(3) (Possession of objectionable computer game) involving a child abuse computer game as defined under that Act.

34 Replacement of sch 2, s 2 (Classification of Films Act 1991)

Schedule 2, section 2—

omit, insert—

2 Classification of Films Act 1991

An offence against the *Classification of Films Act 1991*, section 41(3) (Possession of objectionable film).

35 Amendment of sch 2, s 3 (Classification of Publications Act 1991)

Schedule 2, section 3, entries for sections 17(1) and (2), 17(3) and (4) and 18—

omit.

36 Replacement of sch 2, s 4 (Criminal Code)

Schedule 2, section 4—

omit, insert—

4 Criminal Code

An offence against the Criminal Code, section 328 (Negligent acts causing harm).

37 Omission of sch 2, s 6 (Weapons Act 1990)

Schedule 2, section 6—

omit.

38 Omission of sch 3, s 1 (Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004)

Schedule 3, section 1—

omit.

39 Amendment of sch 3, s 6 (Criminal Code)

Schedule 3, section 6, entries for sections 130, 408E(1) and 470A(1)—

omit.

40 Amendment of sch 3, s 11 (Weapons Act 1990)

(1) Schedule 3, section 11, entries for sections 50(1), 58(2), 61, 62 and 63—

omit.

(2) Schedule 3, section 11, entry for section 57(2), (3) or (4)—

omit, insert—

- section 57(2) or (3) (Particular conduct involving a weapon in a public place prohibited)

41 Replacement of sch 5, s 1 (Criminal Code)

Schedule 5, section 1—

omit, insert—

1 Criminal Code

An offence against the following provisions of the Criminal Code—

- section 406 (Bringing stolen goods into Queensland)
- section 544(1) (Accessories after the fact to offences)
- section 544(2) or (3) (Accessories after the fact to offences) if, in the circumstances of the offence, the offence is not a three year imprisonment offence.

42 Omission of sch 5, s 2 (Drugs Misuse Act 1986)

Schedule 5, section 2—

omit.

43 Omission of sch 5, s 3 (Weapons Act 1990)

Schedule 5, section 3—

omit.

44 Omission of sch 5, s 5 (Criminal Code)

Schedule 5, section 5—

omit.

45 Amendment of sch 5, s 10 (Weapons Act 1990)

Schedule 5, section 10, entries for sections 50, 61 and 62—

omit.

46 Amendment of sch 6 (Dictionary)

(1) Schedule 6, definition *three year imprisonment offence*—

omit.

(2) Schedule 6—

insert—

frustrate, for chapter 11, see section 229.

three year imprisonment offence means an indictable offence for which the maximum penalty is at least 3 years imprisonment.

Part 5 **Amendment of Police Service Administration Regulation 2016**

47 **Regulation amended**

This part amends the *Police Service Administration Regulation 2016*.

48 **Amendment of s 67 (Approved agencies—Act, s 10.2G)**

(1) Section 67—

insert—

(ga) the Australian Defence Force continued in existence under the *Defence Act 1903* (Cwlth);

(2) Section 67(ga) to (u)—

renumber as section 67(h) to (v).

Part 6 **Amendment of Queensland Community Safety Act 2024**

49 **Act amended**

This part amends the *Queensland Community Safety Act 2024*.

Editor's note—

Legislation ultimately amended—

- *Police Powers and Responsibilities Act 2000*

50 **Omission of s 84 (Amendment of s 53BAC (Police powers for giving official warning for consorting))**

Section 84—

omit.

51 Amendment of s 88 (Insertion of new sch 5A)

Section 88, to the extent it inserts schedule 5A, items 1 and 3—

omit.

Part 7 Amendment of Weapons Act 1990

52 Act amended

This part amends the *Weapons Act 1990*.

53 Amendment of s 2 (Application of Act)

(1) Section 2(1)(a)(i), (ii) and (iii), (b), (c), (d) and (e)(i), after ‘weapon’—

insert—

, or possession or distribution of blueprint material for the manufacture of a firearm,

(2) Section 2(1)(h), after ‘whilst’—

insert—

, and to the extent, the person is

(3) Section 2(1)(i)—

omit, insert—

(i) whilst, and to the extent, the person is engaged in scientific or experimental work in relation to a weapon, including in relation to the manufacture of a weapon, under an authority given by the Minister for this section; or

(4) Section 2(2), after ‘weapon’—

insert—

, or possession or distribution of blueprint material for the manufacture of a firearm,

54 Amendment of s 5C (Meaning of *class C serious offence*)

Section 5C(1)—

insert—

- (d) involves the possession or distribution of blueprint material for the manufacture of a firearm on a 3D printer or an electronic milling machine.

55 Amendment of s 5D (Meaning of *disqualified person*)

Section 5D(1)(b), ‘made under section 141H’—

omit.

56 Amendment of s 10 (Limitations on issue of licence)

(1) Section 10(2)—

insert—

- (h) is an Australian citizen within the meaning of the *Australian Citizenship Act 2007* (Cwlth), section 4.

(2) Section 10—

insert—

- (2C) Subsection (2)(h) does not apply to a person who satisfies the authorised officer that the person has a genuine reason, stated in section 11(a) or (c) or prescribed by regulation for this subsection, for possessing a weapon for which a licence is required under this Act.

57 Amendment of s 10B (Fit and proper person—licensees)

(1) Section 10B(1), after paragraph (a)—

insert—

(aa) if the authorised officer is aware the person has a conviction for a relevant offence, including a conviction that is a spent conviction, a conviction that has not been recorded or a conviction that has been quashed or set aside—

(i) the conviction; and

(ii) any information about the circumstances of the offence or conviction to which the officer has access; and

(ab) if the authorised officer is aware the person has been charged with a relevant offence, including a charge that has been withdrawn, discharged or struck out—

(i) the charge; and

(ii) any information about the circumstances of the offence or charge to which the officer has access; and

(2) Section 10B(1)(aa) to (d)—

renumber as section 10B(1)(b) to (g).

58 Amendment of s 10C (Fit and proper person—licensed dealer’s associate)

Section 10C(1), from ‘an authorised officer may’—

omit, insert—

an authorised officer must consider—

(a) if the authorised officer is aware the associate has a conviction for a relevant offence, including a conviction that is a

spent conviction, a conviction that has not been recorded or a conviction that has been quashed or set aside—

- (i) the conviction; and
 - (ii) any information about the circumstances of the offence or conviction to which the officer has access; and
- (b) if the authorised officer is aware the associate has been charged with a relevant offence, including a charge that has been withdrawn, discharged or struck out—
- (i) the charge; and
 - (ii) any information about the circumstances of the offence or charge to which the officer has access; and
- (c) whether there is any criminal intelligence or other information to which the authorised officer has access that indicates—
- (i) the associate is a risk to public safety; or
 - (ii) any relationship involving weapons between the associate and the applicant or licensed dealer would be contrary to the public interest.

59 Amendment of s 13 (Application for licence)

- (1) Section 13(1), ‘must be’—

omit, insert—

must

- (2) Section 13(1)(a) and (b), ‘made’—

omit, insert—

be made

(3) Section 13(1)—

insert—

- (ba) state whether the applicant has a conviction for a relevant offence, including a conviction that is a spent conviction, a conviction that has not been recorded or a conviction that has been quashed or set aside; and
- (bb) state whether the applicant has been charged with a relevant offence, including a charge that has been withdrawn, discharged or struck out; and
- (bc) if the applicant has a conviction for a relevant offence as mentioned in paragraph (c) or has been charged with a relevant offence as mentioned in paragraph (d)—include—
 - (i) details of the conviction or charge; and
 - (ii) information about the circumstances of the offence; and
 - (iii) information about the circumstances of the conviction or charge; and

(4) Section 13(1)(c), ‘accompanied’—

omit, insert—

be accompanied

(5) Section 13(1)(ba) to (c)—

renumber as section 13(1)(c) to (f).

60 Amendment of s 14 (Inquiries into application)

(1) Section 14(1)—

insert—

- (ba) require the applicant—

- (i) to confirm whether the applicant has a conviction for a relevant offence, including a conviction that is a spent conviction, a conviction that has not been recorded or a conviction that has been quashed or set aside; and
 - (ii) if the applicant has a conviction for a relevant offence as mentioned in subparagraph (i)—to give the officer details of the conviction and information about the circumstances of the offence or conviction, other than details or information included in the application; and
- (bb) require the applicant—
- (i) to confirm whether the applicant has been charged with a relevant offence, including a charge that has been withdrawn, discharged or struck out; and
 - (ii) if the applicant has been charged with a relevant offence as mentioned in subparagraph (i)—to give the officer details of the charge and information about the circumstances of the offence or charge, other than details or information included in the application; and
- (2) Section 14(1)(ba) to (g)—
renumber as section 14(1)(c) to (i).
- (3) Section 14(3), after paragraph (a)—
insert—
- (aa) fails to comply with a requirement under subsection (1)(c) or (d); or
- (4) Section 14(3)(b), ‘subsection (1)(c)’—

omit, insert—

subsection (1)(e)

(5) Section 14(3)(aa) to (c)—

renumber as section 14(3)(b) to (d).

61 Amendment of s 15 (Authorised officer decides application)

Section 15(5), ‘section 10B(1)(ca) or 10C(1)’—

omit, insert—

section 10B(1)(f) or 10C(1)(c)

62 Amendment of s 18 (Renewal of licences)

(1) Section 18(7), ‘section 10B(1)(ca) or 10C(1)’—

omit, insert—

section 10B(1)(f) or 10C(1)(c)

(2) Section 18(9), ‘(2)(c) to (g)’—

omit, insert—

(2)(c) to (h)

63 Amendment of s 28 (Suspension of licence by giving suspension notice)

Section 28(4), ‘section 10B(1)(ca) or 10C(1)’—

omit, insert—

section 10B(1)(f) or 10C(1)(c)

64 Amendment of s 29 (Revocation of licence by giving revocation notice)

(1) Section 29(1)(e), after ‘section 11’—

insert—

or prescribed by regulation for this paragraph

- (2) Section 29(3), ‘section 10B(1)(ca) or 10C(1)’—

omit, insert—

section 10B(1)(f) or 10C(1)(c)

65 Amendment of pt 4, hdg (Possession and use of weapons)

Part 4, heading, after ‘weapons’—

insert—

and other things

66 Amendment of s 50 (Possession of weapons)

- (1) Section 50(1), penalty, paragraph (a), ‘13 years imprisonment’—

omit, insert—

1,000 penalty units or 20 years imprisonment

- (2) Section 50(1), penalty, paragraph (b), ‘500 penalty units or 10 years imprisonment’—

omit, insert—

750 penalty units or 15 years imprisonment

- (3) Section 50(1), penalty, paragraph (c)(i), ‘300 penalty units or 7 years imprisonment’—

omit, insert—

700 penalty units or 14 years imprisonment

- (4) Section 50(1), penalty, paragraph (c)(ii), ‘200 penalty units or 4 years imprisonment’—

omit, insert—

500 penalty units or 10 years imprisonment

- (5) Section 50(1), penalty, paragraph (c)(iii), ‘100 penalty units or 2 years imprisonment’—

omit, insert—

300 penalty units or 7 years imprisonment

- (6) Section 50(1AA)(b) and note, after ‘order’—

insert—

or a corresponding order

67 Amendment of s 50B (Unlawful supply of weapons)

- (1) Section 50B(1), penalty, paragraph (a), ‘13 years imprisonment’—

omit, insert—

1,000 penalty units or 20 years imprisonment

- (2) Section 50B(1), penalty, paragraph (b), ‘500 penalty units or 10 years imprisonment’—

omit, insert—

750 penalty units or 15 years imprisonment

- (3) Section 50B(1), penalty, paragraph (c)(i), ‘500 penalty units or 10 years imprisonment’—

omit, insert—

750 penalty units or 15 years imprisonment

- (4) Section 50B(1), penalty, paragraph (c)(ii), ‘300 penalty units or 7 years imprisonment’—

omit, insert—

600 penalty units or 12 years imprisonment

- (5) Section 50B(1), penalty, paragraph (c)(iii), ‘200 penalty units or 4 years imprisonment’—

omit, insert—

500 penalty units or 10 years imprisonment

- (6) Section 50B(4), ‘a Crown Law Officer’—

omit, insert—

the Attorney-General or the Director of Public Prosecutions

68 Insertion of new s 56A

After section 56—

insert—

56A Reckless discharge of weapon towards building or vehicle

- (1) A person must not, with reckless disregard for the safety of any person, discharge a weapon towards a building or vehicle.

Maximum penalty—

- (a) for an offence that is a prescribed offence—1,000 penalty units or 20 years imprisonment; or
- (b) otherwise—800 penalty units or 16 years imprisonment.
- (2) For subsection (1), it is irrelevant whether a person's safety was in fact endangered by the discharging of the weapon.
- (3) The *Penalties and Sentences Act 1992*, section 161Q also states a circumstance of aggravation for an offence against this section.
- (4) An indictment charging an offence against this section with the circumstance of aggravation stated in the *Penalties and Sentences Act 1992*, section 161Q may not be presented without the consent of the Attorney-General or the Director of Public Prosecutions.
- (5) In this section—
prescribed offence means—

- (a) an offence against this section if, when the offence was committed, the offender was a participant in a criminal organisation; or
- (b) an offence against this section that relates to—
 - (i) a building that is, or is on, a place of religious worship; or
 - (ii) a vehicle that is in or on a place of religious worship; or
- (c) an offence against this section if the offender was wholly or partially motivated to commit the offence by hatred or serious contempt for a person or group of persons based on—
 - (i) in relation to a person—an attribute, or presumed attribute, of the person mentioned in the Criminal Code, section 52B(1)(a); or
 - (ii) in relation to a group of persons—an attribute mentioned in the Criminal Code, section 52B(1)(b) that is shared, or presumed to be shared, by the members of the group.

weapon includes an antique firearm, longbow, spear gun, slingshot or shanghai.

69 Amendment of s 61 (Shortening firearms)

Section 61, penalty, ‘200 penalty units or 4 years imprisonment’—

omit, insert—

700 penalty units or 14 years imprisonment

70 Amendment of s 62 (Modifying construction or action of firearms)

Section 62(1) and (2), penalty, ‘200 penalty units or 4 years imprisonment’—

omit, insert—

750 penalty units or 15 years imprisonment

71 Amendment of s 63 (Altering identification marks of weapons)

Section 63, penalty, ‘200 penalty units or 4 years imprisonment’—

omit, insert—

700 penalty units or 14 years imprisonment

72 Amendment of s 65 (Unlawful trafficking in weapons)

(1) Section 65(1), penalty—

omit, insert—

Minimum penalty—

- (a) for an offence, committed by an adult, relating to a category H or R weapon, if at least 1 of the weapons that the offence relates to is a firearm and the person does not have a reasonable excuse for unlawfully carrying on the business—5 years imprisonment served wholly in a corrective services facility; or
- (b) for an offence, committed by an adult, relating to a category A, B, C, D or E weapon, a category M crossbow or explosives, if at least 1 of the weapons that the offence relates to is a firearm and the person does not have a reasonable excuse for unlawfully carrying on the

business—3½ years imprisonment served wholly in a corrective services facility.

Maximum penalty—life imprisonment.

- (2) Section 65(2), ‘paragraph (c) or (d)’—

omit, insert—

paragraph (a) or (b)

- (3) Section 65(4), ‘a Crown Law Officer’—

omit, insert—

the Attorney-General or the Director of Public Prosecutions

73 Amendment of s 67 (Possessing and acquiring restricted items)

Section 67(2)(b) and note, after ‘order’—

insert—

or a corresponding order

74 Insertion of new ss 67A and 67B

After section 67—

insert—

67A Possession and distribution of blueprint material for manufacture of firearms

- (1) A person must not possess or distribute blueprint material for the manufacture of a firearm on a 3D printer or an electronic milling machine.

Maximum penalty—500 penalty units or 10 years imprisonment.

- (2) For subsection (1), a person does not possess blueprint material merely because the person is able to access the material on the internet.

67B Defences for offences against s 67A

(1) It is a defence to an offence against section 67A for the person to prove that—

- (a) the person did not know, and could not reasonably be expected to have known, that the person possessed or distributed the blueprint material; or
- (b) the person possessed or distributed the blueprint material for use for a lawful purpose; or

Examples of possession or distribution for use for a lawful purpose—

- a person who holds a licence that authorises the person to manufacture a firearm possesses blueprint material for the manufacture of the firearm
 - a person who holds a licence that authorises the person to manufacture a firearm distributes blueprint material for the manufacture of the firearm to an employee who is involved in manufacturing the firearm
- (c) the person's conduct in relation to the blueprint material was of public benefit and did not extend beyond what was of public benefit.

(2) It is a defence to an offence against section 67A relating to the possession of blueprint material for the person to prove that—

- (a) the material came into the person's possession unsolicited; and
- (b) as soon as the person became aware of the nature of the material, the person took reasonable steps to ensure the person no longer possessed the material.

(3) For subsection (1)(c)—

[s 75]

- (a) conduct is of public benefit only if the conduct is necessary for, or of assistance in—
 - (i) enforcing or administering a law of a State or the Commonwealth; or
 - (ii) monitoring compliance with, or investigating a contravention of, a law of a State or the Commonwealth; or
 - (iii) the administration of justice; and
- (b) the question of whether the person’s conduct is of public benefit is a question of fact and the person’s motive for engaging in the conduct is irrelevant.

75 Amendment of s 69 (Armourers to be licensed)

- (1) Section 69(1A), penalty, paragraph (a), ‘500 penalty units or 10 years imprisonment’—

omit, insert—

1,000 penalty units or 20 years imprisonment

- (2) Section 69(1A), penalty, paragraph (b), ‘300 penalty units or 7 years imprisonment’—

omit, insert—

750 penalty units or 15 years imprisonment

- (3) Section 69(1A), penalty, paragraph (c), ‘200 penalty units or 4 years imprisonment’—

omit, insert—

500 penalty units or 10 years imprisonment

76 Amendment of s 141D (Definitions for part)

- (1) Section 141D, definitions *court* and *criminal history*—

omit.

(2) Section 141D—

insert—

criminal history, of a person, means, despite the *Criminal Law (Rehabilitation of Offenders) Act 1986*, sections 5, 6, 8 and 9, all of the following—

- (a) a conviction against the person for an offence in Queensland or elsewhere, including a conviction that is a spent conviction, a conviction that has not been recorded or a conviction that has been quashed or set aside;
- (b) a charge made against the person for an offence in Queensland or elsewhere, including a charge that has been withdrawn, discharged or struck out;
- (c) information about the circumstances of—
 - (i) the offence; and
 - (ii) the conviction or charge.

(3) Section 141D, definition *firearm prohibition order*, ‘or 141H’—

omit.

77 Amendment of s 141E (Matters to consider for making firearm prohibition orders—adults)

(1) Section 141E(1), (2) and (3), ‘or the court’—

omit.

(2) Section 141E(5), definition *criminal organisation*—

omit.

78 Amendment of s 141F (Matters to consider for making firearm prohibition orders—children)

Section 141F, ‘or the court’—

omit.

79 Amendment of s 141G (Commissioner may make firearm prohibition orders)

Section 141G(4), from ‘the period’ to ‘order.’—

omit, insert—

a period of—

- (a) if the individual is an adult—10 years; or
- (b) if the individual is a child—5 years.

80 Omission of s 141H (Court may make firearm prohibition orders)

Section 141H—

omit.

81 Amendment of s 141I (Content of firearm prohibition orders)

- (1) Section 141I, heading, ‘Content’—

omit, insert—

Form and content

- (2) Section 141I, after ‘must’—

insert—

be in the approved form and

- (3) Section 141I(f) and (g)—

omit, insert—

- (f) that the individual has a right to have the decision to make the order reviewed by QCAT;
- (g) how, and the period within which, the individual may apply for the review;

(h) any other matter prescribed by regulation.

82 Amendment of s 141J (When firearm prohibition orders take effect)

Section 141J, from ‘effect—’—

omit, insert—

effect when a police officer serves the order or a copy of the order on the individual under section 141P.

83 Amendment of s 141L (Further firearm prohibition orders may be made)

(1) Section 141L(1), ‘or the court’—

omit.

(2) Section 141L(2) to (4)—

omit.

84 Omission of pt 5A, div 2, sdiv 3 (Applications to court for firearm prohibition orders)

Part 5A, division 2, subdivision 3—

omit.

85 Amendment of s 141P (Personal service of firearm prohibition orders)

Section 141P(1), from ‘individual—’—

omit, insert—

individual.

86 Amendment of s 141Q (Power to give directions to facilitate personal service of firearm prohibition orders)

(1) Section 141Q(1)(a), from ‘individual—’—

omit, insert—

individual; and

(2) Section 141Q(2)(b) and (c), ‘stated period’—

omit, insert—

stated reasonable period

(3) Section 141Q—

insert—

(2B) In deciding the reasonable period mentioned in subsection (2)(b) or (c), the police officer—

(a) must have regard to the individual’s location, circumstances and ability to comply with the direction; and

(b) may have regard to—

(i) the extent to which it is necessary, in the circumstances, to serve the firearm prohibition order on the individual as a matter of urgency; and

(ii) any other matter the police officer considers relevant.

(2C) For subsection (2)(c) and (d), the stated police station or place must be within a reasonable distance of the individual’s current location, having regard to the particular circumstances.

(4) Section 141Q(2A) to (3)—

renumber as section 141Q(3) to (6).

87 Omission of s 141R (Limits on directions)

Section 141R—

omit.

88 Replacement of s 141T (Offence warning)

Section 141T—

omit, insert—

141T Offence warning

- (1) This section applies if—
 - (a) a police officer gives an individual a direction under section 141Q(2) or 141S(2)(b); and
 - (b) the individual fails to comply with the direction.
- (2) A police officer must, if practicable, warn the person—
 - (a) it is an offence not to comply with the direction unless the individual has a reasonable excuse; and
 - (b) the individual may be arrested for the offence.
- (3) A police officer must give the person a further reasonable opportunity to comply with the direction.

89 Amendment of s 141U (Offence to contravene direction)

Section 141U(2)—

omit, insert—

- (2) However, an individual does not commit an offence against subsection (1) if—
 - (a) the subject of the firearm prohibition order to which the direction relates is someone other than the individual; or

- (b) when the direction was given, the firearm prohibition order to which the direction relates had already been served on the individual under section 141P.

90 Amendment of s 141V (Licenses, permits and approvals automatically revoked if firearm prohibition order made)

Section 141V(4), from ‘effect—’—

omit, insert—

effect when a police officer serves the firearm prohibition order or a copy of the order on the individual under section 141P.

91 Amendment of s 141Y (Acquiring, possessing and using firearms and firearm related items)

- (1) Section 141Y(1), after ‘order’—

insert—

or a corresponding order

- (2) Section 141Y(1), penalty, ‘500 penalty units or 13 years imprisonment’—

omit, insert—

1,000 penalty units or 20 years imprisonment

- (3) Section 141Y(2), after ‘order’—

insert—

or a corresponding order

- (4) Section 141Y(2), penalty, ‘200 penalty units or 5 years imprisonment’—

omit, insert—

300 penalty units or 7 years imprisonment

- (5) Section 141Y(3), after ‘in relation to’—

insert—

the possession of

- (6) Section 141Y(3)(a), after ‘order’—

insert—

or corresponding order

- (7) Section 141Y(3)(b), ‘either’—

omit, insert—

for an individual subject to a firearm prohibition order

- (8) Section 141Y(3)—

insert—

(c) for an individual subject to a corresponding order made under a corresponding law—the individual complies with—

(i) a requirement under a provision of the corresponding law that corresponds to section 141W(3); or

(ii) a direction given under a provision of the corresponding law that corresponds to section 141W(4).

92 Amendment of s 141Z (Supply of firearms and firearm related items)

- (1) Section 141Z, after ‘firearm prohibition order’—

insert—

or a corresponding order

- (2) Section 141Z, penalty, paragraph (a), ‘500 penalty units or 13 years imprisonment’—

omit, insert—

750 penalty units or 15 years imprisonment

- (3) Section 141Z, penalty, paragraph (b), ‘200 penalty units or 5 years imprisonment’—

omit, insert—

300 penalty units or 7 years imprisonment

93 Amendment of s 141ZA (Attending particular premises and events)

Section 141ZA(1), after ‘order’—

insert—

or a corresponding order

94 Replacement of s 141ZB (Notifying commissioner of change of address)

Section 141ZB—

omit, insert—

141ZB Notifying commissioner of change of address

- (1) This section applies if an individual subject to a firearm prohibition order changes their residential address.
- (2) The individual must, within 7 days of the day the residential address changes, give the commissioner written notice of the change in the way prescribed by regulation.

Maximum penalty—300 penalty units or 7 years imprisonment.

95 Amendment of s 141ZC (Definition for division)

- (1) Section 141ZC, heading, ‘Definition’—

omit, insert—

Definitions

- (2) Section 141ZC—

insert—

firearm prohibition order includes a corresponding order.

96 Amendment of s 141ZE, hdg (Power to search individuals)

Section 141ZE, heading, after ‘individuals’—

insert—

subject to firearm prohibition orders

97 Amendment of s 141ZF (Power to search vehicles)

Section 141ZF(2)(b), ‘and anyone in or on the vehicle’—

omit.

98 Insertion of new s 141ZGA

After section 141ZG—

insert—

141ZGA Power to search particular persons

- (1) This section applies in relation to a person, other than an individual who is subject to a firearm prohibition order, if the person is—
 - (a) in the company of an individual who is subject to a firearm prohibition order; or
 - (b) in or on a vehicle in relation to which section 141ZF applies; or
 - (c) at premises in relation to which section 141ZG applies.
- (2) A police officer may—
 - (a) stop and detain the person; or
 - (b) search the person, and anything in the person’s possession, for a firearm or firearm related item.

Note—

See the *Police Powers and Responsibilities Act 2000*, chapter 20, part 3 for safeguards that apply to a search under this section.

- (3) However, subsection (2)(b) applies only if a police officer reasonably suspects that the person—
- (a) is committing or is about to commit an offence against this Act; and
 - (b) possesses a firearm or firearm related item.

99 Omission of pt 5A, div 5 (Annual review of firearm prohibition orders in relation to children)

Part 5A, division 5—

omit.

100 Omission of pt 5A, div 6 (Appeals)

Part 5A, division 6—

omit.

101 Amendment, relocation and renumbering of s 141ZT (Confidentiality of criminal intelligence)

- (1) Section 141ZT(1)—

omit, insert—

- (1) This section applies in relation to the following proceedings before a court or tribunal—
- (a) a review under section 146;
 - (b) a review under the *Judicial Review Act 1991* of a decision made in relation to the making of a firearm prohibition order under section 141G;

-
- (c) an appeal against a decision made in a proceeding mentioned in paragraph (a) or (b).
- (2) Section 141ZT(2), (3), (4), (5)(b), (6) and (7), after ‘court’—
insert—
or tribunal
- (3) Section 141ZT—
relocate to part 6, division 2 as inserted by this Act and
renumber as section 149A.

102 Amendment of s 141ZU (Records to be kept)

- (1) Section 141ZU(2)(b)—
omit.
- (2) Section 141ZU(2)(c) and (d)—
renumber as section 141ZU(2)(b) and (c).
- (3) Section 141ZU(3)(d)—
omit, insert—
(d) whether the decision to make the order was reviewed under part 6, division 2 or the *Judicial Review Act 1991* and, if so, the outcome of the review;
- (4) Section 141ZU(3)(f) to (i)—
omit.
- (5) Section 141ZU—
insert—
(3A) Further, the register must include the following particulars—
(a) details of any actions taken by a police officer under division 4 in relation to a firearm prohibition order or a corresponding order, including any non-compliance with

the division by a police officer in taking the action;

- (b) details of any firearms or firearm related items seized by a police officer in exercising powers under division 4 in relation to a firearm prohibition order or a corresponding order;
- (c) details of any charges made under this Act against an individual subject to a firearm prohibition order or a corresponding order;
- (d) details of any charges made under another Act against an individual subject to a firearm prohibition order or a corresponding order, if the charges arise from a search under division 4.

- (6) Section 141ZU(3A) to (5)—
renumber as section 141ZU(4) to (6).

103 Replacement of pt 6, hdg (Rights of review and other appeals)

Part 6, heading—

omit, insert—

Part 6

Provisions relating to reviews and appeals

104 Insertion of new pt 6, div 1, hdg

Part 6, before section 142—

insert—

Division 1

Provisions relating to particular decisions

105 Amendment of s 142 (Right to apply for review of decisions)

(1) Section 142, heading, after ‘review of’—

insert—

particular

(2) Section 142(2), note—

omit, insert—

Note—

For review rights in relation to firearm prohibition orders, see division 2.

106 Amendment of s 142A (Confidentiality of criminal intelligence)

Section 142A(3), definition *criminal intelligence*, ‘section 10B(1)(ca) or 10C(1)’—

omit, insert—

section 10B(1)(f) or 10C(1)(c)

107 Insertion of new pt 6, div 2

Part 6, after section 145—

insert—

**Division 2 Provisions relating to
firearm prohibition orders**

**146 Right to apply for review of decisions to make
firearm prohibition orders**

An individual subject to a firearm prohibition order may apply, as provided under the QCAT Act, to QCAT for a review of the decision to make the order.

147 Effect of firearm prohibition orders not stayed by particular proceedings

- (1) This section applies to—
 - (a) an application under section 146 to review a decision to make a firearm prohibition order; or
 - (b) an application under the QCAT Act to reopen a proceeding to review a decision to make a firearm prohibition order; or
 - (c) an appeal under the QCAT Act against a decision of QCAT to make a firearm prohibition order or to confirm or amend a decision to make a firearm prohibition order.
- (2) To the extent the firearm prohibition order is in effect immediately before the application is made or the appeal is started, the making of the application or the start of the appeal does not—
 - (a) affect the operation of the firearm prohibition order; or
 - (b) prevent the taking of action in relation to the firearm prohibition order.

148 When particular review decisions take effect

- (1) A decision made by QCAT—
 - (a) under the QCAT Act, section 24(1)(a) to confirm a decision made by the commissioner to make a firearm prohibition order; or
 - (b) under the QCAT Act, section 24(1)(b) to set aside a decision made by the commissioner to make a firearm prohibition order and to substitute the commissioner's decision with its own decision to make a firearm prohibition order;

has effect from when the commissioner's decision took effect.

- (2) A decision made by QCAT—
 - (a) under the QCAT Act, section 24(1)(a) to amend a decision made by the commissioner to make a firearm prohibition order; or
 - (b) under the QCAT Act, section 24(1)(b) to set aside a decision made by the commissioner to make a firearm prohibition order and to substitute the commissioner's decision with its own decision not to make a firearm prohibition order; or
 - (c) under the QCAT Act, section 24(1)(c) to set aside a decision made by the commissioner to make a firearm prohibition order and to return the matter for reconsideration to the commissioner;

has effect from when QCAT's decision is made.

- (3) To remove any doubt, it is declared that QCAT can not make an order varying the effect of subsection (1) or (2).
- (4) This section applies despite the QCAT Act, section 24(2)(b).

149 Application of QCAT Act

- (1) Despite the QCAT Act, sections 22, 58, 138A, 145 and 152, neither QCAT nor a court may make an order staying the operation of all or part of a decision to make a firearm prohibition order, including a decision made by QCAT or a court to make, or to confirm a decision to make, a firearm prohibition order.
- (2) Despite the QCAT Act, section 43, a party to a proceeding under section 146 to review a decision

to make a firearm prohibition order may be represented in the proceeding by someone else.

- (3) Despite the QCAT Act, section 90, a hearing of a proceeding under section 146 to review a decision to make a firearm prohibition order must be held in private if the order applies to a child.
- (4) The QCAT Act, section 157 does not apply in relation to a decision to make a firearm prohibition order.
- (5) The QCAT Act, sections 158 to 160 does not apply in relation to a decision to make a firearm prohibition order to the extent the decision is made on the basis of criminal intelligence.
- (6) The QCAT Act, sections 229(2) and (4) and 230(3) does not apply in relation to a part of the register relating to, or a record kept for, a proceeding in relation to a decision to make a firearm prohibition order for an individual if, when the decision was made, the individual was a child.
- (7) In this section—

record means a record of a proceeding kept under the QCAT Act, section 230(1).

register means the register of proceedings kept under the QCAT Act, section 229(1).

108 Amendment of s 161 (Proceedings for an offence)

Section 161(3A), ‘section 50B or 65’—

omit, insert—

section 50B, 56A or 65

109 Amendment of s 163 (Evidentiary provisions)

Section 163(1)—

insert—

- (da) a certificate purporting to be signed by a police officer of at least the rank of inspector stating that, on a stated day or for a stated period, a firearm prohibition order was or was not in effect is evidence of the matter; and
- (db) a certificate purporting to be signed by a police officer, of at least the rank of inspector, of another State stating that, on a stated day or for a stated period, a corresponding order made under a law of the State was or was not in effect is evidence of the matter; and

110 Insertion of new pt 8, div 10

Part 8—

insert—

Division 10 Transitional and validation provisions for Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026

200 Definitions for division

In this division—

former, in relation to a provision of this Act, means the provision as in force from time to time before the commencement of the transitional provision in which the term is used.

new, in relation to a provision of this Act, means the provision as in force on the commencement of

the transitional provision in which the term is used.

transitional provision means a provision of this division.

201 Particular existing applications—fit and proper person requirement

- (1) This section applies in relation to the following applications made, but not decided, before the commencement of this section—
 - (a) an application for a licence;
 - (b) an application to renew a licence.
- (2) The following provisions apply in relation to the application—
 - (a) new section 10B;
 - (b) new section 10C;
 - (c) new section 13;
 - (d) new section 14.

202 Particular existing applications—citizenship requirement

- (1) This section applies in relation to the following applications made, but not decided, before the commencement of this section—
 - (a) an application for a licence;
 - (b) an application to renew a licence.
- (2) The following provisions apply in relation to the application—
 - (a) new section 10(2)(h) and (2C);
 - (b) new section 18(9).

203 Validation of particular decisions relating to licences

- (1) This section applies if—
 - (a) before the commencement of this section, an authorised officer made a decision—
 - (i) to reject an application for a licence; or
 - (ii) to reject an application to renew a licence; or
 - (iii) to suspend a licence; or
 - (iv) to revoke a licence; and
 - (b) in deciding or considering whether the applicant, or the licensee, for the licence is or is no longer a fit and proper person to hold a licence, the authorised officer considered a matter mentioned in new section 10B(1)(b) or (c) or 10C(1)(a) or (b).
- (2) It is declared that the decision is taken to be, and to have always been, as valid and lawful as it would be or would have been had each of the following provisions been in force when the decision was made—
 - (a) new section 10B;
 - (b) new section 10C;
 - (c) new section 13;
 - (d) new section 14.
- (3) Anything done, or omitted to be done, in relation to the decision is taken to be, and to have always been, as valid and lawful as it would be or would have been had each of the provisions mentioned in subsection (2) been in force when the decision was made.
- (4) However, if, before the commencement of this section, the decision had been found by a court or

tribunal to be invalid or had been set aside by a court or tribunal, the decision of the court or tribunal, and any orders, declarations or directions made by the court or tribunal in relation to the decision, stand.

204 Firearm prohibition orders made under former section 141H

- (1) This section applies in relation to a firearm prohibition order made under former section 141H before the commencement of this section.
- (2) If the firearm prohibition order is in effect immediately before the commencement of this section, the order stops having effect on the commencement of this section.
- (3) A person who has been subject to a firearm prohibition order in relation to which this section applies continues to be a disqualified person for the purposes of this Act unless—
 - (a) when the order was made, the person was a child; or
 - (b) the decision to make the order was revoked or set aside on review or appeal.

205 Existing firearm prohibition orders made under former section 141G

- (1) This section applies in relation to a firearm prohibition order, made under former section 141G, that is in effect immediately before the commencement of this section.
- (2) Despite new section 141G(4), the firearm prohibition order has effect for the period, of not more than 60 days, stated in the order.

206 Records

A record required to be kept under former section 141ZU must be kept under new section 141ZU.

207 Transitional regulation-making power

- (1) A regulation (a *transitional regulation*) may make provision about a matter for which—
 - (a) it is necessary to make provision to allow or facilitate the doing of anything to achieve the transition from the operation of this Act, as in force before the commencement of a relevant amendment, to the operation of this Act as in force after the commencement of the relevant amendment; and
 - (b) this Act does not provide or sufficiently provide.
- (2) A transitional regulation may have retrospective operation to a day not earlier than the day the relevant amendment commences.
- (3) A transitional regulation must declare it is a transitional regulation.
- (4) This section and any transitional regulation expire on the day that is 1 year after the day this section commences.
- (5) In this section—

relevant amendment means an amendment of this Act by the *Fighting Antisemitism and Keeping Guns out of the Hands of Terrorists and Criminals Amendment Act 2026*.

111 Amendment of sch 1AA (Class B serious offences)

- (1) Schedule 1AA, entry headed ‘This Act’—

insert—

56A Reckless discharge of weapon
towards building or vehicle

- (2) Schedule 1AA, entry for Criminal Code, entry for section 398, ‘item 14 or 15’—

omit, insert—

clause 15

112 Amendment of sch 2 (Dictionary)

- (1) Schedule 2, definitions *appellate court*, *court* and *firearm prohibition order*—

omit.

- (2) Schedule 2, definition *possession*—

omit.

- (3) Schedule 2—

insert—

corresponding law means a law of another State that contains provisions that substantially correspond with part 5A.

corresponding order means an order that—

- (a) closely corresponds to a firearm prohibition order; and
(b) is made under a corresponding law prescribed by regulation.

firearm prohibition order—

- (a) generally, see section 141D; and
(b) for part 5A, division 4, see section 141ZC.

- (4) Schedule 2—

insert—

blueprint material—

-
- (a) means any of the following things, whether in electronic, digital or hard copy form—
- (i) a technical drawing of the design of an object;
 - (ii) a plan, drawing, instruction or template for the manufacture of an object;
 - (iii) a program, software or code for an electronic device for the manufacture of an object; and
- (b) without limiting paragraph (a), includes a reproduction, copy or photograph of a thing mentioned in paragraph (a), whether in electronic, digital or hard copy form.

criminal organisation see the *Penalties and Sentences Act 1992*, section 161O.

distribute, in relation to blueprint material, includes—

- (a) communicate, exhibit, send, supply or transmit the material to someone, whether to a particular person or not; and
- (b) make the material available for access by someone, whether by a particular person or not; and
- (c) enter into an agreement or arrangement to do something mentioned in paragraph (a) or (b); and
- (d) attempt to distribute the material.

manufacture, in relation to a thing, includes—

- (a) take an action preparatory to producing the thing; and
- (b) take an action for the purpose of producing the thing or that advances the production of the thing; and

- (c) offer to take an action mentioned in paragraph (a) or (b); and
- (d) attempt to manufacture.

participant, in a criminal organisation, see the *Penalties and Sentences Act 1992*, section 161P.

possession—

- (a) generally, in relation to a thing, includes—
 - (i) having the thing in one's custody; and
 - (ii) having the thing under one's control in any place, whether or not another person has custody of the thing; and
 - (iii) having an ability to obtain custody of the thing at will; and
 - (iv) having a claim to custody of the thing that the claimant has committed to the custody of another person, notwithstanding that the thing is temporarily not in the control of the claimant; and
- (b) in relation to blueprint material, includes—
 - (i) possession of an electronic device, or a data storage device, that holds or contains the material; and
 - (ii) possession of a document that records the material; and
 - (iii) if the material is held or contained in an electronic device or data storage device that is in the possession of another person, whether or not the electronic device or data storage device is in Queensland—having control of the material.

relevant offence means an offence, under a law of Queensland or another jurisdiction, that—

Part 10 **Other amendments**

119 **Legislation amended**

Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

section 119

Corrective Services Act 2006

- 1 Section 185B(1)(b)(iii), ‘paragraph (c) or (d)’—**
omit, insert—
paragraph (a) or (b)

Judicial Review Act 1991

- 1 Schedule 2, item 5A(1), ‘if the decision’—**
omit, insert—
to the extent the decision
- 2 Schedule 2, item 5A(1)(b), ‘section 10B(1)(ca) or 10C(1)’—**
omit, insert—
section 10B(1)(f) or 10C(1)(c)
- 3 Schedule 2, item 5A(2), ‘or review’—**
omit.
- 4 Schedule 2, item 5A(2), ‘, if the decision’—**
omit, insert—
to the extent the decision

Police Powers and Responsibilities Act 2000

1 Section 267(2)(g), ‘gather’—

omit, insert—

obtain

2 Section 268(2)(g), ‘gather’—

omit, insert—

obtain

3 Schedule 2, authorising provision, ‘section 221’—

omit, insert—

section 221A

4 Schedule 5, authorising provision, ‘section 221’—

omit, insert—

section 221A, definition *controlled activity offence*

5 Schedule 5A, items 2 to 12—

renumber as schedule 5A, items 1 to 11.

Police Service Administration Act 1990

1 Section 10.2G, definition *approved agency*, after ‘established’—

insert—

, or continued in existence,

**2 Section 10.2G, definition *head*, paragraph (a), after
'officer'—**

insert—

, however called,

Weapons Regulation 2016

1 Section 8, 'section 13(1)(c)(iii)'—

omit, insert—

section 13(1)(f)(iii)

2 Schedule 1, item 1, 's 13(1)(c)(i)'—

omit, insert—

s 13(1)(f)(i)

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