



Queensland

# Recording of Evidence Amendment Regulation 2026

## Subordinate Legislation 2026 No. 138

made under the  
*Recording of Evidence Act 1962*

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**1 Short title**

This regulation may be cited as the *Recording of Evidence Amendment Regulation 2026*.

**2 Commencement**

This regulation commences on 1 October 2026.

**3 Regulation amended**

This regulation amends the *Recording of Evidence Regulation 2018*.

**4 Amendment of s 9 (Victim of personal offence)**

- (1) Section 9(1), after ‘District Court’—

*insert—*

or a committal proceeding in a Magistrates Court

- (2) Section 9(4)(b)—

*insert—*

(iv) a relevant officer who asks for the copy on behalf of the person; and

- (3) Section 9(4)(c), after ‘proceeding’—

*insert—*

or committal proceeding

- (4) Section 9(6)—

*insert—*

***relevant officer*** means—

- (a) an officer appointed under the *Director of Public Prosecutions Act 1984*, section 23; or
- (b) a police officer or service legal officer whose duties include acting or appearing for the prosecution in a proceeding.

*service legal officer* see the *Police Service Administration Act 1990*, section 10.24(3).

## **5 Amendment of s 10 (Defendant in criminal proceeding)**

- (1) Section 10(1), after ‘District Court’—

*insert—*

or a committal proceeding in a Magistrates Court

- (2) Section 10(2)(c), after ‘proceeding’—

*insert—*

or committal proceeding

## **6 Insertion of new s 10A**

After section 10—

*insert—*

### **10A Prosecuting entity in criminal proceeding**

- (1) The prosecuting entity in a criminal proceeding in the Supreme Court or the District Court or a committal proceeding in a Magistrates Court is entitled to a free copy of a transcription of a record under the Act of the proceeding.
- (2) Also, the prosecuting entity in a criminal proceeding in the Supreme Court or the District Court (the *relevant proceeding*) is entitled to a free copy of a transcription of a record under the Act of—
  - (a) an earlier criminal proceeding in the Supreme Court or the District Court about an offence the subject of the relevant proceeding or another offence arising out of substantially the same facts and circumstances as those constituting an offence the subject of the relevant proceeding; or

- (b) an earlier committal proceeding in a Magistrates Court about an offence the subject of the relevant proceeding or another offence arising out of substantially the same facts and circumstances as those constituting an offence the subject of the relevant proceeding.
- (3) The free copy may be issued—
  - (a) in printed form or electronic form; and
  - (b) even if the criminal proceeding or committal proceeding has ended.
- (4) In this section—

***prosecuting entity***, in a criminal proceeding or committal proceeding, means any of the following entities prosecuting an offence the subject of the proceeding—

  - (a) the Commonwealth Office of the Director of Public Prosecutions;
  - (b) the Office of the Director of Public Prosecutions;
  - (c) the Queensland Police Service.

ENDNOTES

- 1 Made by the Governor in Council on 17 September 2026.
- 2 Notified on the Queensland legislation website on 18 September 2026.
- 3 The administering agency is the Department of Justice.

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