



Queensland Protection Commission Bill 2026



Queensland

Queensland Protection Commission Bill 2026

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2026

A Bill

for

An Act to establish the Queensland Protection Commissioner to protect the safety and wellbeing of children, young people and other vulnerable persons and for related purposes, to repeal the *Family and Child Commission Act 2014*, and to amend this Act, the *Child Safe Organisations Act 2024*, the *Disability Services Act 2006*, the *Working with Children Check Act 2000* and the legislation mentioned in schedule 2 for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

1 Short title 3

This Act may be cited as the *Queensland Protection Commission Act 2026*. 4
5

2 Commencement 6

(1) This Act, other than the following provisions, commences on 7
1 February 2027— 8

(a) section 111(5); 9

(b) section 112; 10

(c) section 121(3); 11

(d) sections 144 to 146; 12

(e) section 150; 13

(f) section 151; 14

(g) section 162(6); 15

(h) section 163; 16

(i) section 164(3); 17

(j) section 165. 18

(2) The following provisions commence on a day to be fixed by 19
proclamation— 20

(a) section 162(6); 21

(b) section 163; 22

(c) section 164(3); 23

(d) section 165. 24

3	Main purposes	1
(1)	The main purposes of this Act are—	2
(a)	to protect the safety and wellbeing of children, young people and other vulnerable persons; and	3 4
(b)	to provide oversight of the child protection system; and	5
(c)	to promote and advocate the responsibility of families and communities to protect and care for children, young people and other vulnerable persons.	6 7 8
(2)	The main purposes are to be primarily achieved by establishing the Queensland Protection Commissioner.	9 10
4	Act binds all persons	11
(1)	This Act binds all persons, including the State and, to the extent the legislative power of the Parliament permits, the Commonwealth and the other States.	12 13 14
(2)	However, the State, Commonwealth or another State can not be prosecuted for an offence against this Act.	15 16
5	Definitions	17
	The dictionary in schedule 1 defines particular words used in this Act.	18 19
Part 2	Queensland Protection Commissioner	20 21
Division 1	Establishment	22
6	Establishment	23
	There is to be a Queensland Protection Commissioner.	24

[s 7]

7	Functions of commissioner	1
(1)	The commissioner has the following functions—	2
(a)	to provide oversight of the child protection system;	3
(b)	to promote and advocate—	4
(i)	the responsibility of families and communities to protect and care for children, young people and other vulnerable persons; and	5 6 7
(ii)	the safety and wellbeing of children, young people and other vulnerable persons, particularly children in need of protection;	8 9 10
(c)	to inform and educate the community about—	11
(i)	services available to strengthen and support families; and	12 13
(ii)	the way in which the child protection system operates;	14 15
(d)	to analyse and evaluate, at a systemic level, policies and practices relevant to the child protection system and the performance of relevant agencies in delivering services;	16 17 18
(e)	to carry out, and support the carrying out of, activities to improve the safety and wellbeing of children and young people, having regard to any statement of expectations given by the Minister under section 29;	19 20 21 22
(f)	to exchange information under this Act and other Acts that is relevant to the proactive identification of, and protection from, threats to the safety and wellbeing of children, young people and other vulnerable persons;	23 24 25 26
(g)	to report to the Minister about matters relating to a function mentioned in paragraphs (a) to (f);	27 28
(h)	to perform a function incidental to a function mentioned in paragraphs (a) to (f);	29 30
(i)	to perform another function given to the commissioner under this Act, the <i>Child Safe Organisations Act 2024</i> ,	31 32

[s 8]

	the <i>Disability Services Act 2006</i> , part 5, the <i>Working with Children Check Act 2000</i> or another Act.	1 2
(2)	However, it is not a function of the commissioner under this Act to advocate on behalf of a particular child, young person, vulnerable person or family.	3 4 5
(3)	The commissioner must, in performing the commissioner's functions under this Act and the <i>Child Safe Organisations Act 2024</i> , avoid unnecessary duplication of the board's performance of its functions under part 4.	6 7 8 9
8	Powers of commissioner	10
	The commissioner has the power to do anything necessary or convenient to be done for the performance of the commissioner's functions.	11 12 13
Division 2	Office of commissioner	14
9	Establishment of office	15
(1)	The office called the Queensland Protection Commission is established.	16 17
(2)	The office consists of—	18
(a)	the commissioner; and	19
(b)	2 deputy commissioners; and	20
(c)	the staff of the office.	21
10	Function of office	22
	The function of the office is to help the commissioner perform the commissioner's functions under section 7.	23 24

[s 11]

Division 3	Appointments and staff	1
Subdivision 1	General	2
11	Appointment of commissioner	3
(1)	The commissioner is appointed by the Governor in Council on the recommendation of the Minister.	4 5
(2)	The Minister may recommend a person for appointment as the commissioner only if the Minister is satisfied the person is appropriately qualified to perform the functions of the commissioner.	6 7 8 9
12	Appointment of deputy commissioners	10
(1)	The deputy commissioners are appointed by the Governor in Council on the recommendation of the Minister.	11 12
(2)	The Minister may recommend a person for appointment as a deputy commissioner only if the Minister is satisfied the person is appropriately qualified to perform the functions of a deputy commissioner.	13 14 15 16
(3)	At least 1 person recommended by the Minister for appointment as a deputy commissioner must—	17 18
(a)	be an Aboriginal or Torres Strait Islander person; or	19
(b)	have demonstrated ability or experience in working with Aboriginal or Torres Strait Islander children.	20 21
Subdivision 2	Other provisions about appointments	22 23
13	Commissioner and deputy commissioners employed under this Act	24 25
	The commissioner and deputy commissioners are employed under this Act and not under the <i>Public Sector Act 2022</i> .	26 27

14	Term of appointment	1
	Subject to this subdivision, the commissioner and each deputy commissioner hold office for the term, of at least 3 years but not more than 5 years, stated in the instrument of appointment for the commissioner or deputy commissioner.	2 3 4 5
15	Conditions of appointment	6
(1)	The commissioner and each deputy commissioner is to be paid the remuneration and allowances decided by the Governor in Council on the recommendation of the Minister.	7 8 9
(2)	A person holds office as the commissioner or a deputy commissioner on the conditions decided by the Governor in Council to the extent the conditions are not provided for by this Act.	10 11 12 13
16	Acting commissioner and acting deputy commissioners	14
(1)	The Minister may appoint a person to act in the office of the commissioner or a deputy commissioner during—	15 16
(a)	a vacancy in the office; or	17
(b)	a period when the commissioner or deputy commissioner is absent from duty, or can not, for another reason, perform the functions of the office.	18 19 20
(2)	A person may only be appointed to act as the commissioner or a deputy commissioner if the Minister is satisfied the person is appropriately qualified to act as the commissioner or deputy commissioner.	21 22 23 24
(3)	To remove any doubt, it is declared that the Minister may appoint—	25 26
(a)	a deputy commissioner to act in the office of the commissioner; and	27 28
(b)	another person to act in the office of the commissioner or deputy commissioner.	29 30

[s 17]

- (4) This section does not limit the Governor in Council's power under the *Acts Interpretation Act 1954*, section 25(1)(b)(iv) or (v). 1
2
3

17 Vacancy in office 4

- (1) The office of the commissioner or a deputy commissioner becomes vacant if the commissioner or deputy commissioner— 5
6
7
- (a) completes a term of office and is not reappointed; or 8
 - (b) resigns under section 18; or 9
 - (c) is convicted of an indictable offence; or 10
 - (d) is an insolvent under administration; or 11
 - (e) is removed from office under subsection (2). 12
- (2) The Governor in Council may, at any time, remove the commissioner or a deputy commissioner from office on the recommendation of the Minister. 13
14
15
- (3) The Minister may recommend the removal of the commissioner or deputy commissioner for any reason or none. 16
17
18
- (4) Without limiting subsection (3), the Minister may recommend the removal of the commissioner or deputy commissioner if the Minister is satisfied the commissioner or deputy commissioner— 19
20
21
22
- (a) has engaged in misconduct; or 23
 - (b) is incapable of performing the functions of the office of the commissioner or deputy commissioner; or 24
25
 - (c) has neglected, or incompetently performed, the duties of the office. 26
27
- (5) This section does not limit the *Acts Interpretation Act 1954*, section 25(1)(b)(i). 28
29
- (6) In this section— 30

- misconduct*, in relation to the commissioner or a deputy commissioner, means—
- (a) inappropriate or improper conduct in an official capacity of the commissioner or deputy commissioner; or
 - (b) inappropriate or improper conduct in a private capacity that reflects seriously and adversely on the office of commissioner or deputy commissioner.

18 Resignation

The commissioner or a deputy commissioner may resign office by signed notice given to the Minister giving at least 1 month's notice.

19 Preservation of rights

- (1) This section applies if a person who is a public service officer is appointed as the commissioner or a deputy commissioner.
- (2) The person keeps all rights accrued or accruing to the person as a public service officer as if the person's service as the commissioner or deputy commissioner were a continuation of service as a public service officer.
- (3) At the end of the person's term of office or resignation as the commissioner or deputy commissioner, the person's service as the commissioner or deputy commissioner is taken to be service of a like nature in the public service for deciding the person's rights as a public service officer.

Subdivision 3 Staff

20 Staff

The commissioner's staff are employed under the *Public Sector Act 2022*.

[s 21]

Division 4	Advisory councils	1
21	Establishment	2
	The commissioner may establish 1 or more advisory councils, as the commissioner considers appropriate, to advise on matters relating to the commissioner's functions.	3 4 5
22	Membership	6
(1)	An advisory council has the membership decided by the commissioner.	7 8
(2)	However, the commissioner must ensure that at least 1 member of each advisory council is an Aboriginal or Torres Strait Islander person.	9 10 11
(3)	The commissioner may appoint a person to an advisory council only if the commissioner is satisfied the person is appropriately qualified to advise on the matters referred to the council by the commissioner.	12 13 14 15
23	Function	16
(1)	An advisory council's function is to help the commissioner to effectively and efficiently perform the commissioner's functions by advising on matters referred to it by the commissioner.	17 18 19 20
(2)	It is not an advisory council's function to advise the commissioner on the day-to-day management of the commission.	21 22 23
24	Dissolution	24
	The commissioner may dissolve an advisory council at any time.	25 26

25	Other matters	1
	The commissioner may decide matters about an advisory council that are not provided for under this Act, including, for example—	2 3 4
	(a) the terms on which the members of an advisory council hold office; and	5 6
	(b) the way in which the advisory council must conduct meetings or report to the commissioner.	7 8
Division 5	Miscellaneous	9
26	Recommendations to Minister	10
	The commissioner and deputy commissioners may make recommendations to the Minister about any matter that—	11 12
	(a) relates to the performance or exercise of the functions or powers of the commissioner or a deputy commissioner; and	13 14 15
	(b) may help the Minister in the proper administration of this Act.	16 17
27	Ways in which commissioner performs particular functions	18 19
	(1) This section applies in relation to a function of the commissioner under section 7(1)(a) to (e).	20 21
	(2) In performing the function, the commissioner must do the following—	22 23
	(a) engage with, and take account of, the views of children, young people, vulnerable persons and their families;	24 25
	(b) be sensitive to the ethnic or cultural identity and values of children, young people, vulnerable persons and their families;	26 27 28

[s 28]

- (c) ensure the interests of Aboriginal peoples and Torres Strait Islander peoples are adequately and appropriately represented; 1
2
3
- (d) respect and promote the role of Aboriginal and Torres Strait Islander service providers in supporting Aboriginal and Torres Strait Islander families and communities to protect and care for their children, young people and vulnerable persons; 4
5
6
7
8
- (e) consult with relevant agencies and advocacy entities; 9
- (f) work cooperatively with relevant agencies and help build their capacity to meet the needs of children, young people, vulnerable persons and their families. 10
11
12
- (3) In this section— 13
 - advocacy entity* means an entity that provides advocacy services for, or otherwise represents— 14
15
 - (a) particular children; or 16
 - (b) particular vulnerable persons; or 17
 - (c) the interests of children or vulnerable persons generally. 18

28 Ministerial direction 19

- (1) The commissioner is subject to the direction of the Minister in performing a function of the commissioner under this Act, other than a function mentioned in section 7(1)(e) and (f). 20
21
22
- (2) If the Minister gives the commissioner a direction under this section, the commissioner must comply with the direction. 23
24

Note— 25

See also section 41 in relation to the board acting independently. 26

29 Statement of expectations 27

- (1) The Minister may give the commissioner a written statement (a *statement of expectations*) about the Minister's expectations for the performance of the commissioner's function under section 7(1)(e). 28
29
30
31

[s 30]

- (2) Without limiting subsection (1), the statement of expectations may—
 - (a) state a particular period for which the statement applies; and
 - (b) provide for the nature and scope of the commissioner’s activities for a particular period.
- (3) The commissioner must, as soon as practicable after the statement of expectations is given, publish the statement on the commissioner’s website.
- (4) In performing the function, the commissioner must—
 - (a) have regard to the statement of expectations; and
 - (b) keep the Minister reasonably informed about the activities performed by the commissioner in performing the function.
- (5) The commissioner must comply with a reasonable request by the Minister to give the Minister stated information at a stated time about the activities performed by the commissioner in performing the function.

Part 3 Child death register

Division 1 General

30 Commissioner to keep register

- (1) The commissioner must keep a register (the *child death register*) of information relating to child deaths in Queensland in the way the commissioner considers appropriate.
- (2) The commissioner must include on the register information given, under the following sections, to the commissioner—
 - (a) the *Births, Deaths and Marriages Registration Act 2023*, section 119 or 120;
 - (b) the *Coroners Act 2003*, section 10A, 45, 46 or 54A.

[s 31]

(3)	The commissioner may also include on the register information given to the commissioner—	1 2
(a)	under the <i>Building Act 1975</i> , section 245I, to the extent the information relates to a child death; or	3 4
(b)	in response to a request made under section 32.	5
31	Other functions relating to child death register	6
	The commissioner also has the following functions to help reduce the likelihood of child deaths—	7 8
(a)	in relation to the information about child deaths recorded in the child death register—	9 10
(i)	to classify the deaths according to cause of death, demographic information and other relevant factors; and	11 12 13
(ii)	to analyse the information to identify patterns or trends;	14 15
(b)	to conduct research, alone or in cooperation with other entities, relevant to the register;	16 17
(c)	to identify areas for further research by the commissioner or other entities;	18 19
(d)	to make recommendations, arising from keeping the register and conducting research under this section, about laws, policies, practices and services.	20 21 22
Division 2	Information provisions	23
32	Requests by commissioner for information relevant to child death register	24 25
(1)	Subsection (2) applies if the commissioner considers a public entity has information necessary for the performance of the commissioner’s functions under this part.	26 27 28

-
- (2) The commissioner may, by notice, ask the public entity to give the information to the commissioner within a stated reasonable time.
- (3) The public entity must comply with the request unless the entity reasonably considers the disclosure of the information—
- (a) would prejudice the investigation of a contravention, or possible contravention, of the law; or
 - (b) would prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law; or
 - (c) would endanger a person's life or physical safety.
- (4) However, in complying with the request, the public entity and the commissioner must ensure—
- (a) the information given to the commissioner relates to the commissioner's functions under this part; and
 - (b) to the extent possible, the privacy of any person to whom the information relates is protected from unjustified intrusion.
- (5) If the public entity refuses to comply with the request, the entity must give notice to the commissioner of its reasons for the refusal.
- (6) The commissioner and a public entity may enter into an arrangement to facilitate the provision of information under this section.
- Example for subsection (6)—*
- The commissioner and a public entity may enter into a memorandum of understanding under which the entity gives the commissioner access to a database periodically to extract information.
- (7) A public entity may charge a fee for a service under an arrangement under subsection (6) that is not more than the actual cost of the service.
- (8) In this section—
-

[s 33]

information includes confidential information. 1

33 Access to information in the child death register for research purposes 2
3

- (1) This section applies if a person wants to access information in the child death register to undertake research to help reduce the likelihood of child deaths. 4
5
6
- (2) The person may access the information only with the commissioner’s consent. 7
8
- (3) The commissioner may consent only if the commissioner is satisfied— 9
10
- (a) the person is a genuine researcher; and 11
- (b) the information is reasonably necessary for the research mentioned in subsection (1). 12
13
- (4) The commissioner must not give the person access to confidential information unless the commissioner reasonably believes— 14
15
16
- (a) the confidential information is necessary for the research to be effective; and 17
18
- (b) the opportunity for increased knowledge that may result from the research outweighs the need to protect the privacy of any living or dead person. 19
20
21
- (5) The commissioner may impose the conditions on the consent that the commissioner considers appropriate including, for example, a condition that the person must not disclose stated information to anyone else or use the information other than for a stated purpose. 22
23
24
25
26
- (6) The person must comply with any condition imposed on the consent unless the person has a reasonable excuse. 27
28
- Maximum penalty—100 penalty units. 29
- (7) In this section— 30
genuine researcher means— 31

[s 34]

- (a) a person for whom an application for health information has been granted under the *Public Health Act 2005*, chapter 6, part 4; or
 - (b) a member of a quality assurance committee established under the *Hospital and Health Boards Act 2011*, section 82; or
 - (c) another person who the commissioner considers is conducting genuine research.
- person* includes a public entity.

Division 3 Reporting

34 Reports about child death register

By 31 October in each year, the commissioner must prepare, and give to the Minister, a report about the following matters for the previous financial year—

- (a) the results of analysing information included in the child death register;
- (b) the commissioner's activities relating to research under section 31;
- (c) any persons given access to information under section 33;
- (d) any recommendations the commissioner has made under section 31 about laws, policies, practices or services;
- (e) the extent to which previous recommendations of the commissioner have been implemented.

35 Other reports

The commissioner may prepare, and give to the Minister, other reports arising from the performance of the commissioner's functions under section 31.

[s 36]

36 Preparation of reports

- (1) The commissioner must not include in a report under this part any comments adverse to an entity identifiable from the report, unless the entity has been given a copy of the comments and a reasonable opportunity to respond to them.
- (2) If the entity gives the commissioner a written statement in response to the comments and asks that the statement be included in the report, the commissioner must include the statement in the report.
- (3) However, the commissioner is not required by subsection (2) to include a statement so far as it contains information that the commissioner considers should not be publicly disclosed on the ground that—
 - (a) disclosure of the information may adversely affect the outcome of an inquiry or investigation by a complaints entity or the Queensland Police Service, or an investigatory body established under a law of the Commonwealth; or
 - (b) the information concerns a matter before a court.
- (4) Within 14 sitting days after receiving a report under this part, the Minister must table it in the Legislative Assembly.
- (5) In this section—

complaints entity means any of the following—

 - (a) the public guardian;
 - (b) the ombudsman;
 - (c) the human rights commissioner under the *Anti-Discrimination Act 1991*;
 - (d) the Crime and Corruption Commission under the *Crime and Corruption Act 2001*;
 - (e) the Health Ombudsman.

[s 37]

37	No liability for defamation if report made in good faith	1
	It is a lawful excuse for the publication of any defamatory statement made in a report under this part that the publication is made in good faith and is, or purports to be, made for this Act.	2 3 4 5
Part 4	Child Death Review Board	6
Division 1	Preliminary	7
38	When a child death is <i>connected to the child protection system</i>	8 9
	For this part, a child death is <i>connected to the child protection system</i> if it is a child death in relation to which an internal agency review was carried out under the <i>Child Protection Act 1999</i> , chapter 7A.	10 11 12 13
Division 2	General	14
Subdivision 1	Board	15
39	Continuation of Child Death Review Board	16
	The Child Death Review Board established under the repealed <i>Family and Child Commission Act 2014</i> , section 29C is continued in existence under this Act.	17 18 19
40	Purposes of board's reviews	20
(1)	The board is to carry out a review relating to the child protection system following each child death connected to the system.	21 22 23
(2)	The purposes of the review are—	24

[s 41]

	(a) to consider matters relating to the provision of services to, and other interactions with, children and their families by government and non-government entities; and	1 2 3 4
	(b) to identify opportunities for continuous improvement in systems, legislation, policies and practices; and	5 6
	(c) to identify preventative mechanisms to help protect children and prevent deaths that may be avoidable.	7 8
	(3) The review must not include an investigation of the death of any particular child.	9 10
41	Board must act independently and in public interest	11
	(1) The board must act independently and in the public interest.	12
	(2) Without limiting subsection (1)—	13
	(a) the board is not subject to direction by the Minister or anyone else about how it performs its functions; and	14 15
	(b) the commissioner is not subject to direction by the Minister in the performance of the commissioner's functions as the board's chairperson or as another board member.	16 17 18 19
	<i>Note—</i>	20
	See, however, section 55 under which the Minister may ask the board to carry out a stated review or to consider a stated system or issue as part of a review.	21 22 23
Subdivision 2	Functions and powers	24
42	Functions	25
	The board has the following functions—	26
	(a) to carry out a review under section 40(1);	27

- (b) to analyse data, and apply research, to identify patterns, trends and risk factors relevant to reviews under paragraph (a);
- (c) to carry out, or engage persons to carry out, research relevant to reviews under paragraph (a);
- (d) to make recommendations about—
 - (i) improvements to systems, policies and practices for implementation by government and non-government entities that provide services to, or otherwise interact with, children and their families; and
 - (ii) legislative change;
- (e) to monitor the implementation of its recommendations.

43 Powers

- (1) The board has the power to do anything necessary or convenient to be done for the performance of the board's functions.
- (2) Without limiting subsection (1), the board may engage appropriately qualified persons to—
 - (a) conduct research relevant to the board's functions; or
 - (b) provide legal advice relevant to the board's functions; or
 - (c) prepare reports to help the board perform its functions.

44 Board to coordinate with other entities

- The board must, in performing its functions—
- (a) avoid unnecessary duplication of the processes carried out in other entities; and
 - (b) to the extent it considers appropriate, coordinate its reviews and the reviews carried out by other entities.

[s 45]

Subdivision 3	Membership	1
45	Membership of board	2
	The board consists of the chairperson and not more than 11 other members appointed by the Minister.	3 4
46	Chairperson	5
(1)	The Minister must appoint the commissioner or a deputy commissioner as the chairperson.	6 7
(2)	The chairperson is responsible for leading the board, and directing its activities, to ensure it appropriately performs its functions.	8 9 10
(3)	The chairperson holds office for the term stated in the person's instrument of appointment as chairperson.	11 12
(4)	A person's office as chairperson ends when the person—	13
(a)	resigns office as chairperson by signed notice given to the Minister; or	14 15
(b)	stops being the commissioner or a deputy commissioner.	16
47	Other members	17
(1)	This section applies to the board members other than the chairperson.	18 19
(2)	The Minister may appoint a person as a member of the board if satisfied the person is eligible and suitable for appointment.	20 21
(3)	A person is eligible for appointment if the person—	22
(a)	has expertise in the field of paediatrics and child health, forensic pathology, mental health, investigations or child protection; or	23 24 25
(b)	has expertise in litigation relating to child protection proceedings or proceedings of a similar nature; or	26 27

[s 48]

- (c) is otherwise, because of the person's qualifications, experience or membership of an entity, likely to make a valuable contribution to the work of the board. 1 2 3
- (4) However, a person is ineligible for appointment if the person— 4 5
 - (a) has a conviction for an indictable offence; or 6
 - (b) is an insolvent under administration; or 7
 - (c) is a member of the Legislative Assembly. 8
- (5) The Minister must not appoint a person if the person does not consent to a criminal history check before appointment. 9 10
- (6) Without limiting the matters to which the Minister may have regard in deciding a person's suitability for appointment, the Minister may have regard to the person's criminal history. 11 12 13
- (7) The Minister must ensure the board's membership— 14
 - (a) reflects the social and cultural diversity of the Queensland community; and 15 16
 - (b) includes at least 1 Aboriginal or Torres Strait Islander person; and 17 18
 - (c) includes persons with a range of experience, knowledge or skills relevant to the board's functions; and 19 20
 - (d) does not include a majority of persons who are public service employees. 21 22

48 Deputy chairperson 23

- (1) The Minister may appoint a board member to be the deputy chairperson. 24 25
- (2) If the chairperson is not an Aboriginal or Torres Strait Islander person, the Minister must appoint a board member who is an Aboriginal or Torres Strait Islander person as deputy chairperson. 26 27 28 29
- (3) The Minister may not appoint the commissioner or a deputy commissioner as deputy chairperson. 30 31

[s 49]

(4)	A person may be appointed as a board member and deputy chairperson at the same time.	1 2
(5)	A person's office as deputy chairperson ends when the person—	3 4
(a)	resigns office as deputy chairperson by signed notice given to the Minister; or	5 6
(b)	stops being a board member.	7
(6)	The deputy chairperson is to act as chairperson—	8
(a)	during a vacancy in the office of chairperson; and	9
(b)	during all periods when the chairperson is absent or can not perform the functions of the office.	10 11
49	Conditions of appointment	12
(1)	A board member is to be paid the remuneration and allowances decided by the Minister.	13 14
(2)	A board member who is a prescribed person under the <i>Public Sector Act 2022</i> , section 268 is not entitled to be paid remuneration for holding office as a member.	15 16 17
(3)	For matters not provided for by this Act, a board member holds office on the terms and conditions decided by the Minister.	18 19 20
50	Term of appointment	21
(1)	A board member is appointed for the term, of at least 3 years but not more than 5 years, stated in the member's instrument of appointment.	22 23 24
(2)	A board member may be reappointed.	25
51	Vacancy in office	26
(1)	The office of a board member becomes vacant if—	27
(a)	the member—	28

[s 52]

- (i) completes the member's term of office and is not reappointed; or
 - (ii) resigns from office by signed notice given to the Minister; or
 - (iii) becomes ineligible for appointment under section 47(4); or
- (b) the Minister ends the member's appointment under subsection (2).
- (2) The Minister may, by signed notice given to a board member, terminate the member's appointment if—
 - (a) the member is absent from 3 consecutive meetings of the board without the board's permission and without reasonable excuse; or
 - (b) the Minister is satisfied the member is incapable of satisfactorily performing the member's functions.

52 Criminal history reports

- (1) To decide if a person is ineligible from becoming or continuing as a board member, the Minister may ask the police commissioner for—
 - (a) a written report about the criminal history of the person; and
 - (b) a brief description of the circumstances of a conviction or charge mentioned in the criminal history.
- (2) However, the Minister may make the request only if the person has given the Minister written consent for the request.
- (3) The police commissioner must comply with the request in relation to information in the police commissioner's possession or to which the police commissioner has access.
- (4) The Minister must destroy a report given to the Minister under this section as soon as practicable after it is no longer needed for the purpose for which it was requested.

[s 53]

53	Conviction must be disclosed	1
(1)	This section applies if a person is convicted of an indictable offence during the term of the person’s appointment as a board member.	2 3 4
(2)	The person must immediately give notice of the conviction to the Minister under this section unless the person has a reasonable excuse.	5 6 7
	Maximum penalty—100 penalty units.	8
(3)	The notice must include—	9
(a)	the existence of the conviction; and	10
(b)	when the offence was committed; and	11
(c)	details adequate to identify the offence; and	12
(d)	the sentence imposed on the person.	13

Division 3	Conduct of reviews	14
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54	Board may carry out review	15
(1)	The board may carry out a review for the purposes mentioned in section 40.	16 17
(2)	The board must decide the extent of, and terms of reference for, each review.	18 19
(3)	The board may, for example, decide to review an issue about a particular system, arising from an internal agency review.	20 21
	<i>Note—</i>	22
	Under the <i>Child Protection Act 1999</i> , section 245O, the board receives the report prepared for an internal agency review following a child death.	23 24 25
(4)	Matters that the board may consider in a review include the following—	26 27
(a)	the effectiveness of, or interaction between—	28

- (i) services that were provided to a child or a child's family before the child's death; or 1
2
- (ii) services provided to children or families that could have been, but were not, provided to a child or a child's family before the child's death; 3
4
5
- (b) issues relating to practices or systems that may expose children to risk; 6
7
- (c) ways of improving practices or systems relating to identifying or responding to risks; 8
9
- (d) ways of improving communication and collaboration between service providers. 10
11
- (5) The terms of reference for a review must not include considering whether disciplinary action should be taken against any person. 12
13
14

55 Minister may ask board to carry out review 15

- (1) In exceptional circumstances, the Minister may ask the board to carry out a stated review, or to consider a stated system or issue as part of a review, if the Minister considers it would be appropriate, having regard to the purposes of a review mentioned in section 40. 16
17
18
19
20
- (2) The matters to which a request relates may include matters relating to the child protection system other than child deaths connected to the system. 21
22
23

Example— 24

A request may relate to an issue arising from the serious physical injury of a child, or from a child death not connected to the child protection system, if the injury or death is relevant to the child protection system. 25
26
27

- (3) The board must comply with the Minister's request. 28
- (4) The board must— 29
 - (a) for a request to carry out a review—decide the extent of, and terms of reference for, the review; and 30
31
 - (b) after completing the review that was requested or to which the request relates— 32
33

[s 56]

- (i) advise the Minister of the outcomes; and 1
 - (ii) if appropriate, include the outcomes in a report 2
under section 56 or 57. 3
- (5) This section applies despite section 41. 4

Division 4 Reporting 5

56 Annual reports about board operations 6

- (1) By 31 October after the end of each financial year, the board 7
must give the Minister a report of its operations during the 8
financial year. 9
- (2) The report may include— 10
 - (a) recommendations made under section 42(d); and 11
 - (b) information about the progress made by government or 12
non-government entities in the implementation of 13
previous recommendations of the board. 14
- (3) Within 14 sitting days after receiving the report, the Minister 15
must table a copy in the Legislative Assembly. 16

57 Other reports 17

- (1) At any time, the board may prepare a report about the 18
outcomes of a review or another matter arising from the 19
performance of its functions. 20
- (2) The board may give a report to the Minister and, if so, must 21
also give the Minister a recommendation about whether the 22
report should be tabled in the Legislative Assembly. 23
- (3) In deciding whether to table a report in the Legislative 24
Assembly, the Minister must have regard to whether the 25
report includes— 26
 - (a) personal information about an individual; or 27
 - (b) information that may prejudice the investigation of a 28
contravention or possible contravention of the law; or 29

	(c) anything else relevant to whether tabling the report would be in the public interest.	1 2
	(4) If a report includes a matter mentioned in subsection (3)(a) or (b), or a recommendation made under section 42(d), the board must not publish the report to the public unless the Minister has tabled the report.	3 4 5 6
	(5) If a matter in a report is relevant to the functions of a relevant agency, the board may give a copy of the report to the chief executive of the agency.	7 8 9
	(6) In this section—	10
	<i>personal information</i> see the <i>Information Privacy Act 2009</i> , section 12.	11 12
58	Consultation before including particular information in reports	13 14
	(1) The board must not include in a report under section 56 or 57 any adverse information about an entity identifiable from the report unless the entity has been given a copy of the information and is allowed a reasonable opportunity to make a submission about it.	15 16 17 18 19
	(2) If an entity makes a submission under subsection (1), the board—	20 21
	(a) must have regard to the submission before finalising the report; and	22 23
	(b) must not include the information in the report unless the board also includes the entity's submission, or a fair summary of it, in the report.	24 25 26
	(3) If the board proposes to recommend in a report that a particular entity take particular action, the board must consult with the entity, and any other entities likely to be affected, about the recommendation before finalising the report.	27 28 29 30
	(4) In this section—	31
	<i>information</i> includes comment.	32

[s 59]

59	Board may respond to internal agency review reports	1
(1)	The board may provide comments and information to an agency head or the litigation director in response to a report received under the <i>Child Protection Act 1999</i> , section 245O.	2 3 4
(2)	The board must not include the comments or information in a report under section 56 or 57 or another document published to the public.	5 6 7
Division 5	Information sharing and protection from liability	8 9
60	Underlying principle	10
	The underlying principle of this division is that public entities should give information requested by the chairperson, for the performance of the board's functions—	11 12 13
	(a) in a timely way; and	14
	(b) to the extent that is appropriate, having regard to—	15
	(i) the relevance of the information to the board's functions; and	16 17
	(ii) the effect of giving the information on the safety, wellbeing and best interests of children.	18 19
61	Requests by chairperson for information relevant to board's functions	20 21
(1)	Subsection (2) applies if the chairperson considers an entity has information necessary for the performance of the board's functions under this part.	22 23 24
(2)	The chairperson may, by notice, ask the entity to give the information to the chairperson within a stated reasonable time.	25 26 27
(3)	The entity must comply with the request unless the entity reasonably considers the disclosure of the information—	28 29

[s 62]

- (a) would prejudice the investigation of a contravention, or possible contravention, of the law; or
 - (b) would prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law; or
 - (c) would endanger a person's life or physical safety.
- (4) However, in complying with the request, the entity and the chairperson must ensure—
 - (a) the information given to the chairperson relates to the board's functions under this part; and
 - (b) to the extent possible, the privacy of any person to whom the information relates is protected from unjustified intrusion.
- (5) If the entity refuses to comply with the request, the entity must give notice to the chairperson of its reasons for the refusal.
- (6) The chairperson and an entity may enter into an arrangement to facilitate the provision of information under this section.
- (7) In this section—
information includes confidential information.

62 Confidential information may be disclosed to chairperson

Any entity may disclose confidential information to the chairperson for the performance of the board's functions, whether or not the chairperson has requested the information under section 61.

Examples of entities that may disclose information—

- a public entity
- a non-government agency that provides a service to children or families
- a private hospital

[s 63]

- a medical practitioner 1
- the principal of a school 2
- the approved provider of an education and care service 3

63 Chairperson may disclose confidential information 4

- (1) The chairperson may disclose confidential information to an entity for the performance of the board's functions, including for the purpose of—
 - (a) requesting information under section 61; or 8
 - (b) performing the board's functions in the way mentioned in section 44. 9 10
- (2) This section does not limit section 79(3). 11

64 Information sharing arrangements 12

The chairperson may enter into an arrangement with the following entities about sharing or exchanging information under this division— 13 14 15

- (a) the State Coroner; 16
- (b) the Domestic and Family Violence Death Review and Advisory Board established under the *Coroners Act 2003*, section 91C; 17 18 19
- (c) another entity. 20

Example— 21

The chairperson may enter into an information sharing arrangement with the State Coroner that includes arrangements for obtaining investigation documents under the *Coroners Act 2003*, section 54. 22 23 24

65 Interaction with other laws 25

- (1) This division does not limit a power or obligation under another Act or law to give information. 26 27

[s 66]

- (2) This part does not permit disclosure of the identity of a notifier under the *Child Protection Act 1999*, section 186 that must not be disclosed under section 186A of that Act. 1
2
3
- (3) Information may be given under this division despite any other law that would otherwise prohibit or restrict the giving of the information. 4
5
6
- (4) However, if a person may claim privilege in relation to information under another Act or law, the privilege is not affected only because the information may be, or is, given under this division. 7
8
9
10

66 Protection from liability for giving information 11

- (1) This section applies if a person, acting honestly, gives information to the chairperson under this division. 12
13
- (2) The person is not liable, civilly, criminally or under an administrative process, for giving the information. 14
15
- (3) Also, merely because the person gives the information, the person can not be held to have— 16
17
 - (a) breached any code of professional etiquette or ethics; or 18
 - (b) departed from accepted standards of professional conduct. 19
20
- (4) Without limiting subsections (2) and (3)— 21
 - (a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the information; and 22
23
 - (b) if the person would otherwise be required to maintain confidentiality about the information under an Act, oath or rule of law or practice, the person— 24
25
26
 - (i) does not contravene the Act, oath or rule of law or practice by giving the information; and 27
28
 - (ii) is not liable to disciplinary action for giving the information. 29
30

[s 67]

67 No liability for defamation if report made in good faith 1

It is a lawful excuse for the publication of any defamatory 2
statement made in a report under this division that the 3
publication is made in good faith and is, or purports to be, 4
made for this Act. 5

Division 6 Proceedings of the board 6

68 Conduct of proceedings 7

Subject to this division, the board may conduct its 8
proceedings, including its meetings, as it considers 9
appropriate. 10

69 Meetings 11

- (1) A board meeting may be held using any technology that 12
reasonably allows board members to hear and take part in 13
discussions as they happen. 14
- (2) A board member who takes part in a meeting under 15
subsection (1) is taken to be present at the meeting. 16
- (3) A question at a meeting is to be decided by a majority of the 17
votes of the board members present at the meeting. 18
- (4) If the votes are equal, the board member presiding has a 19
casting vote. 20
- (5) A resolution is a valid resolution of the board, even though it 21
is not passed at a meeting of the board, if— 22
 - (a) at least half of the board members give written 23
agreement to the resolution; and 24
 - (b) notice of the resolution is given under procedures 25
approved by the board. 26
- (6) The board may invite persons other than board members to 27
attend a meeting to advise or inform the board about any 28
matter. 29

70	Time and place of meetings	1
(1)	The board may hold its meetings when and where it decides.	2
(2)	The chairperson—	3
(a)	may call a meeting at any time; and	4
(b)	must call a meeting if asked by at least 3 other members.	5
71	Quorum	6
	A quorum for a meeting is at least half of the board members,	7
	including at least 1 member who is an Aboriginal or Torres	8
	Strait Islander person.	9
72	Presiding at meetings	10
(1)	The chairperson is to preside at all meetings at which the	11
	chairperson is present.	12
(2)	If the chairperson is not present at a meeting, the deputy	13
	chairperson is to preside.	14
(3)	If neither the chairperson nor the deputy chairperson is	15
	present at a meeting, the board member chosen by the	16
	members present is to preside.	17
73	Minutes and other records	18
	The board must keep—	19
(a)	minutes of its meetings; and	20
(b)	a record of its decisions and resolutions.	21
74	Disclosure of interests	22
(1)	This section applies if—	23
(a)	a board member has a direct or indirect interest in a	24
	matter being considered, or about to be considered, at a	25
	meeting; and	26

[s 75]

- (b) the interest could conflict with the proper performance of the member's duties about the consideration of the matter. 1
2
3
- (2) As soon as practicable after the relevant facts come to the board member's knowledge, the member must disclose the nature of the interest at a meeting. 4
5
6
- (3) Particulars of the disclosure must be recorded by the board in a register of interests kept for the purpose. 7
8
- (4) Unless the board otherwise directs, the board member must not— 9
10
 - (a) be present when the board considers the matter; or 11
 - (b) take part in a decision of the board about the matter. 12
- (5) The board member must not be present when the board is considering whether to give a direction under subsection (4). 13
14
- (6) A contravention of this section does not invalidate a decision of the board. 15
16
- (7) However, if the board becomes aware the board member contravened this section, the board must reconsider a decision made by the board in which the member took part in contravention of this section. 17
18
19
20

75 Attendance by proxy 21

- (1) A board member may attend a meeting of the board by proxy. 22
- (2) The proxy holder— 23
 - (a) may participate in the meeting, but not vote, on the board member's behalf; and 24
25
 - (b) is not entitled to preside at the meeting only because the person is the proxy holder for the chairperson or deputy chairperson; and 26
27
28
 - (c) is not counted for the purpose of deciding whether a quorum is present under section 71. 29
30

- (3) For section 51(2)(a), an absent board member is not taken to
have attended a meeting only because a proxy holder for the
member attended the meeting.

Part 5 **Information sharing and confidentiality**

Division 1 **Information sharing**

- 76** **Requests by commissioner for information**
- (1) Subsection (2) applies if the commissioner considers a public
entity has information necessary for the performance of the
commissioner's functions under this Act, other than part 3.
- (2) The commissioner may, by notice, ask the public entity to
give the information to the commissioner within a stated
reasonable time.
- (3) The public entity must comply with the request unless the
entity reasonably considers the giving of the information—
- (a) is prohibited under an Act; or
 - (b) is impracticable; or
 - (c) would prejudice the investigation of a contravention, or
possible contravention, of the law; or
 - (d) would prejudice the effectiveness of a lawful method or
procedure for preventing, detecting, investigating or
dealing with a contravention or possible contravention
of the law; or
 - (e) would endanger a person's life or physical safety.
- (4) If the public entity refuses to comply with the request, the
entity must give notice to the commissioner stating the public
entity's reasons for the refusal.
- (5) This section does not apply to confidential information.

[s 77]

77	Compliance with other Acts	1
(1)	To remove any doubt it is declared that—	2
(a)	in performing a function of the commissioner under the <i>Child Safe Organisations Act 2024</i> , the commissioner must comply with chapters 4 and 5 of that Act in relation to information to which those provisions apply; and	3 4 5 6 7
(b)	in performing a function of the commissioner under the <i>Disability Services Act 2006</i> , part 5, the commissioner must comply with part 5, division 8, subdivisions 8 and 9 of that Act in relation to information to which those provisions apply; and	8 9 10 11 12
(c)	in performing a function of the commissioner under the <i>Working with Children Check Act 2000</i> , the commissioner must comply with chapter 8, part 6 and chapter 10, part 4 of that Act in relation to information to which those provisions apply.	13 14 15 16 17
(2)	In this section— <i>function</i> includes power.	18 19
78	Commissioner must make guidelines	20
(1)	The commissioner must make guidelines about the exchange of information under this part, including the ways in which information may be disclosed in compliance with other Acts mentioned in section 77.	21 22 23 24
(2)	Without limiting subsection (1), the guideline may provide for—	25 26
(a)	information to be asked for and given electronically on a daily basis or at other regular intervals; and	27 28
(b)	information to be given by way of providing electronic access to the information.	29 30

Division 2 Confidentiality

1

79 Confidentiality of information

2

- (1) If a person gains confidential information through
involvement in the administration of this Act, the person must
not—

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4

5

- (a) make a record of the information or intentionally
disclose the information to anyone, other than under
subsection (3); or

6

7

8

- (b) recklessly disclose the information to anyone.

9

Maximum penalty—200 penalty units.

10

- (2) A person gains information through involvement in the
administration of this Act if the person gains the information
because of being, or an opportunity given by being—

11

12

13

- (a) the Minister or a member of the Minister's staff; or

14

- (b) the commissioner; or

15

- (c) a deputy commissioner; or

16

- (d) a member of the board; or

17

- (e) a staff member of the commission; or

18

- (f) a person consulted or employed by the commissioner
for this Act; or

19

20

- (g) a member of an advisory council.

21

- (3) A person may make a record of confidential information or
disclose it to someone else—

22

23

- (a) if the commissioner decides the information may be
disclosed under subsection (4); or

24

25

- (b) under this Act; or

26

- (c) as authorised or required under another law; or

27

- (d) in compliance with a lawful process requiring the
production of documents or giving of evidence before a
court or tribunal; or

28

29

30

- (1) The commissioner may delegate the commissioner's functions under this Act to—

- (a) a deputy commissioner; or 1
- (b) an appropriately qualified staff member of the 2
commission. 3
- (2) A deputy commissioner may delegate the deputy 4
commissioner's functions under this Act to an appropriately 5
qualified staff member of the commission. 6
- (3) In this section— 7
functions includes powers. 8

82 Protection from civil liability 9

- (1) An official is not civilly liable for an act done, or omission 10
made, honestly and without negligence under this Act. 11
- (2) If subsection (1) prevents civil liability attaching to an 12
official, the liability attaches instead to the State. 13
- (3) This section does not apply to an official who is a prescribed 14
person under the *Public Sector Act 2022*, section 268. 15
- Note—* 16
For protection from civil liability in relation to prescribed persons 17
under the *Public Sector Act 2022*, section 268, see section 269 of that 18
Act. 19
- (4) In this section— 20
official means— 21
 - (a) the Minister; or 22
 - (b) the commissioner; or 23
 - (c) a deputy commissioner; or 24
 - (d) a member of an advisory council. 25

83 Reports 26

- (1) As soon as practicable after the close of each financial year, 27
but not later than 4 months after the close, the commissioner 28
must give to the Minister a report on the administration of this 29
Act during that financial year. 30

[s 83]

- (2) The commissioner must, in relation to the commissioner's functions under this Act, include in the report for a financial year—
 - (a) information about the following matters for the financial year—
 - (i) Queensland's performance in relation to achieving State and national goals relating to the child protection system;
 - (ii) Queensland's performance over time in comparison to other jurisdictions;
 - (iii) Queensland's progress in reducing the number of, and improving the outcomes for, Aboriginal and Torres Strait Islander children and young people in the child protection system;
 - (iv) the performance of the commissioner's functions under the *Disability Services Act 2006*, part 5 and the *Working with Children Check Act 2000*; and
 - (b) details of any direction given under section 28 by the Minister in relation to the financial year; and
 - (c) details of any action taken by the commissioner as a result of the direction; and
 - (d) details of the number of reports requested by, and provided to, the Minister during the financial year under the *Child Safe Organisations Act 2024*, section 107A, the *Disability Services Act 2006*, section 138ZLD and the *Working with Children Check Act 2000*, section 395; and
 - (e) any other information required by the Minister.
- (3) Also, the commissioner must, in relation to the commissioner's functions under the *Child Safe Organisations Act 2024*, include in the report for a financial year information about—
 - (a) the performance of the commissioner's functions under chapter 2 of that Act; and

[s 84]

- (b) the performance of the commissioner's functions under chapter 3 of that Act; and
 - (c) trends in the compliance by child safe entities and reporting entities with chapters 2 and 3 of that Act; and
 - (d) trends in the outcomes of investigations carried out under chapters 2 and 3 of that Act.
- (4) In addition, the commissioner may include in a report information, opinions and recommendations about any matter relating to the commissioner's functions under this Act or the *Child Safe Organisations Act 2024*.
- (5) In preparing a report, the commissioner may consult with relevant agencies the commissioner considers may be significantly affected by the report.
- (6) The Minister must table a copy of the report in the Legislative Assembly within 14 sitting days after the Minister receives it.

84 Administrative and financial control

- (1) To remove any doubt, it is declared that—
- (a) the chief executive is, in relation to the staff of the commission, the chief executive for the purposes of the *Public Sector Act 2022*; and
 - (b) the chief executive is the accountable officer for the commission for the purposes of the *Financial Accountability Act 2009*; and
 - (c) the commissioner and the commission are not statutory bodies for the *Financial Accountability Act 2009* or the *Statutory Bodies Financial Arrangements Act 1982*.
- (2) Also, to remove any doubt, it is declared that the commissioner must do anything the chief executive requires for the performance of the chief executive's functions mentioned in subsection (1)(a) and (b).

[s 85]

85	Regulation-making power	1
	The Governor in Council may make regulations under this Act.	2 3
Part 7	Repeal and transitional provisions	4 5
Division 1	Repeal	6
86	Repeal	7
	The Family and Child Commission Act 2014, No. 27 is repealed.	8 9
Division 2	Transitional provisions	10
Subdivision 1	Preliminary	11
87	Definitions for division	12
	In this division—	13
	<i>former commission</i> means the Queensland Family and Child Commission established under the repealed Act, section 6.	14 15
	<i>repealed Act</i> means the repealed <i>Family and Child Commission Act 2014</i> .	16 17
Subdivision 2	Former commission and commissioners	18 19
88	Former commission and commissioners	20
	(1) On the commencement—	21

	(a) the former commission is abolished; and	1
	(b) each commissioner of the former commission goes out of office.	2 3
	(2) No compensation is payable to a person because of subsection (1)(b).	4 5
	(3) To remove any doubt, it is declared that subsection (2) does not limit or otherwise affect a person's right to a benefit or entitlement that had accrued before the commencement.	6 7 8
89	Commissioner successor in law of former commission	9
	(1) The commissioner is the successor in law of the former commission.	10 11
	(2) Subsection (1) is not limited by a provision of this division.	12
90	Principal commissioner of former commission	13
	(1) This section applies if, immediately before the commencement, a person held the office of the principal commissioner under the repealed Act, section 11(3).	14 15 16
	(2) On the commencement, the person is taken to be appointed to act in the office of the commissioner under section 16—	17 18
	(a) until a person is appointed as commissioner under section 11; and	19 20
	(b) on the same conditions of appointment on which the person held office as the principal commissioner.	21 22
91	Agreements, undertakings and other arrangements	23
	(1) This section applies in relation to an agreement, undertaking or other arrangement—	24 25
	(a) to which the principal commissioner or former commission was a party immediately before the commencement; and	26 27 28
	(b) that is in effect on the commencement.	29

[s 92]

- (2) On the commencement, the agreement, undertaking or other arrangement is taken to have been entered into by the commissioner and may be enforced against or by the commissioner. 1
2
3
4

92 Records and other documents 5

- (1) This section applies to the records and other documents held by the former commission immediately before the commencement. 6
7
8
- (2) On the commencement, the records and other documents become— 9
10
- (a) if relevant to a function of the commissioner under this Act or another Act—the records and documents of the commissioner; and 11
12
13
- (b) otherwise—the records and documents of the department. 14
15

93 References to former commission 16

In an Act or document, a reference to the former commission, or the principal commissioner or a commissioner under the repealed Act, is, if the context permits, taken to be a reference to the Queensland Protection Commissioner. 17
18
19
20

94 Final annual report of former commission 21

- (1) This section applies in relation to an annual report prepared under the *Financial Accountability Act 2009* by the chief executive in relation to the administration of the repealed Act for the financial year in which this section commences. 22
23
24
25
- (2) The chief executive must include in the annual report the matters the commission would have included in its annual report for the financial year under the repealed Act, section 40. 26
27
28
29

Subdivision 3	Child death register	1
95	Continuation of child death register	2
	From the commencement, the register kept by the principal commissioner under the repealed Act, section 25 continues as the child death register kept by the commissioner under section 30.	3 4 5 6
96	Requests for information by principal commissioner	7
	(1) This section applies if—	8
	(a) before the commencement, the principal commissioner asked a public entity to give information under the repealed Act, section 27; and	9 10 11
	(b) immediately before the commencement—	12
	(i) the public entity had not complied with the request; and	13 14
	(ii) the time for complying with the request had not ended.	15 16
	(2) On the commencement, the request for information is taken to be a request for information made by the commissioner under section 32.	17 18 19
97	Access to information consented to by principal commissioner	20 21
	(1) This section applies to a consent given by the principal commissioner under the repealed Act, section 28 that, immediately before the commencement, was still in effect.	22 23 24
	(2) From the commencement, the consent, including any conditions imposed on the consent under the repealed Act, section 28(5), continues in effect as if it were a consent given under section 33.	25 26 27 28

[s 98]

98	First report about child death register	1
(1)	This section applies to the first report required to be given under section 34 after the commencement.	2 3
(2)	For section 34—	4
(a)	a reference to the activities or recommendations of the commissioner for the previous financial year is taken to include a reference to the activities or recommendations of the principal commissioner under the repealed Act; and	5 6 7 8 9
(b)	a reference to a person given access under section 33 for the previous financial year is taken to include a reference to a person who was given access under the repealed Act, section 28.	10 11 12 13

Subdivision 4	Child death review board	14
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99	Information sharing arrangements	15
(1)	This section applies to an arrangement made between the chairperson and an entity under the repealed Act, section 29R.	16 17
(2)	From the commencement, the arrangement continues as an arrangement under section 64.	18 19
(3)	In a document relating to the arrangement, a reference to the principal commissioner under the repealed Act may be taken, if the context permits, to be a reference to the commissioner.	20 21 22
100	Annual report of board and submissions	23
(1)	This section applies to the first annual report required to be given under section 56 after the commencement.	24 25
(2)	For section 56(2), a reference to a recommendation made under section 42(d) is taken to include a reference to a recommendation made under the repealed Act, section 29D(d).	26 27 28 29

- (3) Also, a submission by an entity in relation to adverse information made to the board in relation to a report before the commencement is taken to have been made to the board under section 58(2). 1
2
3
4

Subdivision 5 Other matters 5

101 First report by commissioner 6

Despite section 83— 7

- (a) the commissioner need not comply with section 83 until the close of the financial year ending on 30 June 2028; and 8
9
10
(b) the report must relate to the commissioner's functions mentioned in that section for the period starting on the commencement and ending on 30 June 2028. 11
12
13

102 Proceedings for particular offences 14

- (1) This section applies in relation to an offence against a relevant provision committed by a person before the commencement. 15
16
(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 section 86 had not commenced. 17
18
19
20
(3) Subsection (2) applies despite the Criminal Code, section 11. 21
(4) In this section— 22
relevant provision means each of the following provisions of the repealed Act— 23
24
(a) section 36(1); 25
(b) section 37(2). 26

[s 103]

- 103 Advisory councils** 1
- (1) This section applies to an advisory council established under 2
the repealed Act, section 30 that, immediately before the 3
commencement, had not been dissolved. 4
- (2) From the commencement— 5
- (a) the advisory council continues in existence and is taken 6
 to be an advisory council established under section 21; 7
 and 8
- (b) each appointed member of the advisory council 9
 continues as an appointed member of the advisory 10
 council for the term, and on the terms and conditions, 11
 applying to the member immediately before the 12
 commencement. 13

Subdivision 6 Transitional regulations 14

- 104 Transitional regulation-making power** 15
- (1) A regulation (a *transitional regulation*) may make provision 16
about a matter for which— 17
- (a) it is necessary to make provision to allow or facilitate 18
 the doing of anything to achieve the transition from the 19
 operation of the repealed Act, and the Acts amended by 20
 part 8 (the *amended Acts*), before the commencement, 21
 to the operation of this Act and the amended Acts after 22
 the commencement; and 23
- (b) this Act does not provide or sufficiently provide. 24
- (2) A transitional regulation may have retrospective operation to 25
a day not earlier than the day this section commences. 26
- (3) A transitional regulation must declare it is a transitional 27
regulation. 28
- (4) This section and any transitional regulation expire on the day 29
that is 2 years after the day this section commences. 30

Part 8	Legislation amended	1
Division 1	Amendment of this Act	2
105	Act amended	3
	This division amends this Act.	4
106	Amendment of long title	5
	Long title, from ‘, to repeal’—	6
	<i>omit.</i>	7
Division 2	Amendment of Child Safe Organisations Act 2024	8
		9
107	Act amended	10
	This division amends the <i>Child Safe Organisations Act 2024</i> .	11
	<i>Note—</i>	12
	See also the amendments in schedule 2.	13
108	Amendment of s 34 (Head of reporting entity must notify commission of reportable allegation or reportable conviction relating to worker)	14
		15
		16
	(1) Section 34, heading, ‘commission’—	17
	<i>omit, insert—</i>	18
	protection commissioner	19
	(2) Section 34(2), penalty, ‘100’—	20
	<i>omit, insert—</i>	21
	150	22
	(3) Section 34(2), (3) and (4), ‘commission’—	23

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51 Use of findings of reportable conduct by commissioner	1
	2
(2) Section 51(1), ‘commission’—	3
<i>omit, insert</i> —	4
protection commissioner	5
(3) Section 51(2), from ‘commission’ to ‘matters’—	6
<i>omit, insert</i> —	7
protection commissioner may use information	8
about the following matters to perform a working	9
with children check function in relation to the	10
individual	11
(4) Section 51(2)(e), from ‘the functions’—	12
<i>omit, insert</i> —	13
the working with children check function.	14
(5) Section 51(3)—	15
<i>omit.</i>	16
 112 Insertion of new s 51A	17
After section 51—	18
<i>insert</i> —	19
51A Disclosure of reportable allegations	20
(1) This section applies to a reportable allegation, or	21
a finding about a reportable allegation made in an	22
interim report, made in relation to an individual	23
that is received by the commission before—	24
(a) a finding about the allegation is made; or	25
(b) the commission becomes aware a finding	26
about the allegation is made.	27
(2) The commission may disclose information about	28
the reportable allegation or finding to the chief	29
executive (working with children) if the	30

[s 113]

	commission reasonably believes the information	1
	is relevant to a function of the chief executive	2
	(working with children).	3
113	Amendment of s 51A (Disclosure of allegations of reportable conduct and interim findings)	4
		5
(1)	Section 51A(1), as inserted by this Act, ‘commission’—	6
	<i>omit, insert—</i>	7
	protection commissioner	8
(2)	Section 51A(2), as inserted by this Act—	9
	<i>omit, insert—</i>	10
(2)	The protection commissioner may use	11
	information about the allegation or interim	12
	finding to perform the commissioner’s working	13
	with children check functions in relation to the	14
	person.	15
114	Insertion of new s 54A	16
	After section 54—	17
	<i>insert—</i>	18
	54A Information may be used for protection commissioner’s other functions	19
		20
(1)	The protection commissioner may use	21
	information gained through involvement in the	22
	administration of this Act to perform the	23
	commissioner’s disability worker screening	24
	functions or working with children check	25
	functions, if the commissioner reasonably	26
	believes—	27
(a)	the information relates to whether a person	28
	poses a risk to the safety of children or a	29
	person with disability; and	30

[s 115]

	(b) the information is relevant to the performance of the functions.	1 2
	(2) This section applies despite any other Act or law, including a law imposing an obligation to maintain confidentiality about the information.	3 4 5
115	Amendment of s 56 (Confidentiality of information)	6
	(1) Section 56(2)(b)—	7
	<i>omit, insert—</i>	8
	(b) the protection commissioner; or	9
	(ba) a deputy commissioner; or	10
	(2) Section 56(2)(ba) to (d)—	11
	<i>renumber</i> as section 56(2)(c) to (e).	12
	(3) Section 56(4), from ‘A commissioner’ to ‘the commissioner’—	13 14
	<i>omit, insert—</i>	15
	The protection commissioner or a deputy commissioner may decide confidential information may be disclosed to a person if the commissioner or deputy commissioner	16 17 18 19
	(4) Section 56—	20
	<i>insert—</i>	21
	(4A) A person to which this section applies may use, disclose or give access to confidential information about a person for performing the protection commissioner’s disability worker screening functions or working with children check functions, if the person reasonably believes—	22 23 24 25 26 27
	(a) the confidential information relates to whether a person poses a risk to the safety of children or a person with disability; and	28 29 30

[s 116]

	(b) the confidential information is relevant to the performance of the functions.	1 2
(5)	Section 56(5), definition <i>permitted use</i> , paragraph (b)— <i>omit, insert—</i>	3 4
	(b) a disclosure or use permitted under subsection (4) or (5); or	5 6
(6)	Section 56(4A) and (5)— <i>renumber</i> as section 56(5) and (6).	7 8
116	Amendment of s 57 (Confidentiality of information given by persons involved in administration of Act to other persons)	9 10 11
	Section 57(3), ‘section 56(5)’— <i>omit, insert—</i>	12 13
	section 56(6)	14
117	Amendment of s 102 (Giving official false or misleading information)	15 16
	Section 102(1), penalty— <i>omit, insert—</i>	17 18
	Maximum penalty—200 penalty units or 2 years imprisonment.	19 20
118	Insertion of new s 107A	21
	After section 107— <i>insert—</i>	22 23
	107A Reports by protection commissioner	24
	(1) The protection commissioner may provide the Minister with a report relating to the administration of this Act, including the performance and exercise of the commissioner’s	25 26 27 28

	functions and powers under this Act.	1
(2)	The protection commissioner must provide the Minister with a report of a type mentioned in subsection (1) if the Minister asks for it.	2 3 4
	<i>Note—</i>	5
	See also the <i>Queensland Protection Commission Act 2026</i> , section 83 in relation to the requirement to report details of requests made under this subsection.	6 7 8
(3)	A report under this section—	9
(a)	may relate to matters generally or to a particular matter; or	10 11
(b)	may include confidential information obtained in the administration of this Act.	12 13
119	Insertion of new ch 9, pt 1, hdg	14
	After chapter 9, heading—	15
	<i>insert—</i>	16
	Part 1	
	Transitional provisions for Act No. 49 of 2024	17 18
120	Insertion of new ch 9, pt 2	19
	Chapter 9—	20
	<i>insert—</i>	21
	Part 2	
	Transitional provisions for Queensland Protection Commission Act 2026	22 23 24 25
	Division 1	
	Preliminary	26

[s 120]

113 Definitions for part	1
In this part—	2
<i>amended Act</i> means this Act as in force from the commencement.	3 4
<i>former</i> , in relation to a provision of this Act, means the provision as in force from time to time before the commencement.	5 6 7
<i>former commission</i> means the Queensland Family and Child Commission established under the repealed <i>Family and Child Commission Act 2014</i> , section 6.	8 9 10 11
<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement.	12 13
 Division 2 Provisions relating to former commission	 14 15
 114 Enforceable undertakings	 16
(1) This section applies if, before the commencement, the former commission accepted an enforceable undertaking from a child safe entity under former chapter 2, part 3, division 3.	17 18 19 20
(2) On the commencement, the enforceable undertaking is taken to be an enforceable undertaking accepted by the protection commissioner under new chapter 2, part 3, division 3.	21 22 23 24 25
(3) Anything done by or in relation to the former commission in relation to the enforceable undertaking is taken to have been done by or in relation to the protection commissioner.	26 27 28 29

115 Things done or started by former commission

- (1) This section applies to anything done or started by the former commission before the commencement under former chapter 2 or 3—
 - (a) whose effect had not ended, or that had not been finished, immediately before the commencement; and
 - (b) that, on the commencement, is something the protection commissioner can do under this Act; and
 - (c) that is not otherwise dealt with under this division.

Examples of things done or started by the former commission—

 - the giving of a direction to conduct a self-assessment under former section 16
 - the giving of a compliance notice under former section 18
 - the starting of an investigation under former section 43
- (2) The thing done or started by the former commission—
 - (a) continues to have effect; and
 - (b) from the commencement, is taken to have been done or started by the protection commissioner; and
 - (c) for a thing started by the former commission—may be completed by the commissioner under new chapter 2 or 3.

116 Protection commissioner may deal with pre-commencement matters

The protection commissioner may perform a function or exercise a power under this Act in relation to a matter even if the matter happened or

[s 120]

arose before the commencement.	1
117 Exemptions from complying with ch 3, pt 3	2
(1) This section applies if—	3
(a) before the commencement, the former commission exempted a reporting entity from complying with a requirement under former section 39; and	4 5 6 7
(b) immediately before the commencement, the exemption was in effect.	8 9
(2) From the commencement, the exemption is taken to have been given by the protection commissioner and continues in effect as an exemption made under new section 39.	10 11 12 13
118 Requests for information by former commission	14 15
(1) This section applies if—	16
(a) before the commencement, the former commission asked the director of public prosecutions or the police commissioner for information under former section 52; and	17 18 19 20
(b) immediately before the commencement, the request had not been complied with.	21 22
(2) From the commencement, the request is taken to have been made by the protection commissioner under new section 52.	23 24 25
119 Authorised officers	26
(1) This section applies to a person who, immediately before the commencement, held an appointment as an authorised officer under former section 64.	27 28 29
(2) The person continues as an authorised officer on	30

-
- the same terms of appointment that applied to the 1
person immediately before the commencement as 2
if the person had been appointed by the protection 3
commissioner under new section 64. 4
- (3) The identity card issued to the person under 5
former section 68 is taken to be an identity card 6
issued under new section 68 until the earlier of the 7
following— 8
- (a) another identity card is issued to the person 9
by the protection commissioner under new 10
section 68; 11
- (b) the card expires. 12

Division 3 Internal reviews, external 13 reviews and appeals 14

120 Internal reviews not started on 15 commencement 16

- (1) This section applies if— 17
- (a) before the commencement— 18
- (i) the former commission made a 19
reviewable decision about a person; 20
and 21
- (ii) the person had not applied for an 22
internal review of the decision under 23
former section 99; and 24
- (b) on the commencement, the time for starting 25
the internal review of the decision had not 26
ended. 27
- (2) From the commencement— 28
- (a) the amended Act applies in relation to the 29
subject matter of the internal review; and 30

[s 120]

- (b) the person may apply for an internal review of the decision under new section 99 as if the reviewable decision were made by the protection commissioner. 1 2 3 4

121 External reviews not started on commencement 5 6

- (1) This section applies if— 7
 - (a) before the commencement— 8
 - (i) a person was entitled to be given a QCAT information notice for an internal review decision under former section 100; and 9 10 11 12
 - (ii) the person had not applied for an external review under former section 101; and 13 14 15
 - (b) on the commencement, the time for starting the external review of the decision had not ended. 16 17 18
- (2) From the commencement— 19
 - (a) the amended Act applies in relation to the subject matter of the external review; and 20 21
 - (b) the person may apply for an external review under new section 101 as if the reviewable decision the subject of the internal review decision were made by the protection commissioner. 22 23 24 25 26

122 Undecided internal and external reviews 27

- (1) This section applies if, immediately before the commencement, an application made by a person under former section 99 or 101 for a reviewable decision had not been decided or withdrawn. 28 29 30 31
- (2) From the commencement, the review may be 32

- continued as if the reviewable decision were made 1
by the protection commissioner. 2
- (3) The entity deciding the review must apply the 3
amended Act in relation to the subject matter of 4
the review. 5

123 Appeals not started on commencement 6

- (1) This section applies if— 7
- (a) before the commencement, the former 8
commission had a right to appeal, under the 9
QCAT Act, against a decision of QCAT 10
relating to a reviewable decision; and 11
- (b) on the commencement, the time for starting 12
an appeal had not ended. 13
- (2) From the commencement, the protection 14
commissioner may start an appeal against the 15
decision of QCAT as if the reviewable decision 16
were made by the protection commissioner. 17
- (3) The entity hearing the appeal must apply the 18
amended Act in relation to the subject matter of 19
the appeal. 20

124 Undecided appeals 21

- (1) This section applies if, immediately before the 22
commencement, an appeal against a decision of 23
QCAT relating to a reviewable decision started by 24
the former commission under the QCAT Act had 25
not been decided or withdrawn. 26
- (2) From the commencement, the appeal may be 27
continued as if the reviewable decision were made 28
by the protection commissioner. 29
- (3) The entity hearing the appeal must apply the 30
amended Act in relation to the subject matter of 31
the appeal. 32

[s 121]

121	Amendment of sch 3 (Dictionary)	1
(1)	Schedule 3, definitions <i>commission</i> , <i>commissioner</i> and <i>principal commissioner</i> —	2
	<i>omit.</i>	3
		4
(2)	Schedule 3—	5
	<i>insert—</i>	6
	<i>commission</i> means the Queensland Protection Commission established under the <i>Queensland Protection Commission Act 2026</i> , section 9.	7
		8
		9
	<i>deputy commissioner</i> means a deputy commissioner under the <i>Queensland Protection Commission Act 2026</i> .	10
		11
		12
	<i>disability worker screening functions</i> means the functions of the protection commissioner under the <i>Disability Services Act 2006</i> .	13
		14
		15
	<i>protection commissioner</i> means the commissioner under the <i>Queensland Protection Commission Act 2026</i> .	16
		17
		18
	<i>working with children check functions</i> means the functions of the protection commissioner under the <i>Working with Children Check Act 2000</i> .	19
		20
		21
(3)	Schedule 3—	22
	<i>insert—</i>	23
	<i>chief executive (working with children)</i> means the chief executive of the department in which the <i>Working with Children Check Act 2000</i> is administered.	24
		25
		26
		27

Division 3	Amendment of Disability Services Act 2006	1 2
122	Act amended	3
	This division amends the <i>Disability Services Act 2006</i> .	4
	<i>Note—</i>	5
	See also the amendments in schedule 2.	6
123	Amendment of s 40 (Main purposes of part)	7
	(1) Section 40(a), after ‘scheme’—	8
	<i>insert—</i>	9
	administered by the protection commissioner	10
	(2) Section 40(c), ‘chief executive’—	11
	<i>omit, insert—</i>	12
	protection commissioner	13
124	Amendment of s 67 (Application combined with working with children check application)	14 15
	Section 67(4)—	16
	<i>omit, insert—</i>	17
	(4) If a combined application is made to the protection commissioner, the commissioner may, to the extent the information in the combined application relates to the person’s working with children check application, use the information for performing the commissioner’s working with children check functions.	18 19 20 21 22 23 24
125	Amendment of s 77 (Request to withdraw combined application)	25 26
	Section 77(5)—	27

[s 126]

	<i>omit, insert—</i>	1
	(5) If a combined withdrawal request is made to the protection commissioner, the commissioner may, to the extent the information in the combined application relates to the combined withdrawal request, use the information for performing the commissioner's working with children check functions.	2 3 4 5 6 7 8
126	Omission of s 138ZG (Giving information to chief executive (working with children))	9 10
	Section 138ZG—	11
	<i>omit.</i>	12
127	Amendment of s 138ZLA (Confidentiality of police, disciplinary, mental health and other protected information)	13 14 15
	(1) Section 138ZLA(3)(e) and (f), 'chief executive'—	16
	<i>omit, insert—</i>	17
	protection commissioner	18
	(2) Section 138ZLA(4), after 'subsection (5)'—	19
	<i>insert—</i>	20
	or (6)	21
	(3) Section 138ZLA(5)(a), 'chief executive's'—	22
	<i>omit, insert—</i>	23
	protection commissioner's	24
	(4) Section 138ZLA(5)—	25
	<i>insert—</i>	26
	(da) is permitted under section 138ZLCA; or	27
	(5) Section 138ZLA(5)(da) and (e)—	28
	<i>renumber</i> as section 138ZLA(5)(e) and (f).	29

[s 128]

(6) Section 138ZLA—	1
<i>insert—</i>	2
(6) Also, a person to which this section applies may	3
use the protected information, or disclose or give	4
access to the protected information to another	5
person for performing the protection	6
commissioner’s child safe functions if the person	7
reasonably believes—	8
(a) the protected information relates to whether	9
a person poses a risk to the safety of	10
children or a person with disability; and	11
(b) the protected information is relevant to the	12
performance of the functions.	13
128 Amendment of s 138ZLB (Confidentiality of other	14
information obtained for screening purposes)	15
(1) Section 138ZLB(1)(a)(ii), ‘employed in the department’—	16
<i>omit.</i>	17
(2) Section 138ZLB(2), after ‘subsection (3)’—	18
<i>insert—</i>	19
or (4)	20
(3) Section 138ZLB(3)—	21
<i>insert—</i>	22
(ba) is permitted under section 138ZLCA; or	23
(4) Section 138ZLB(3)(ba) to (g)—	24
<i>renumber</i> as section 138ZLB(3)(c) to (h).	25
(5) Section 138ZLB—	26
<i>insert—</i>	27
(4) Also, a person to which this section applies may	28
use the screening information, or disclose or give	29
access to the screening information to another	30

[s 129]

person for performing the protection	1
commissioner’s child safe functions, if the person	2
reasonably believes—	3
(a) the screening information relates to whether	4
a person poses a risk to the safety of	5
children or a person with disability; and	6
(b) the screening information is relevant to the	7
performance of the functions.	8
129 Insertion of new s 138ZLCA	9
After section 138ZLC—	10
<i>insert—</i>	11
138ZLCA Use of information for working with	12
children check functions	13
(1) The protection commissioner may use	14
information obtained for the screening of a person	15
under this part to perform the commissioner’s	16
working with children check functions in relation	17
to the person if the commissioner reasonably	18
believes the information is relevant to the	19
performance of the functions.	20
(2) Without limiting subsection (1), the information	21
that may be used includes—	22
(a) information about a disability worker	23
screening application made by a person; and	24
(b) information about a clearance, interstate	25
NDIS clearance, exclusion or interstate	26
NDIS exclusion held by a person; and	27
(c) police information about a person, including	28
investigative information; and	29
(d) information related to police information	30
about a person, including a section 93A	31
transcript and a transcript of a recorded	32
statement; and	33

[s 130]

(e) disciplinary information or NDIS disciplinary or misconduct information about a person; and	1 2 3
(f) information about a person's mental health.	4
(3) This section applies despite any other Act or law, including a law imposing an obligation to maintain confidentiality about the information.	5 6 7
130 Amendment of s 138ZLD (Reports by chief executive)	8
(1) Section 138ZLD, heading, 'chief executive'—	9
<i>omit, insert—</i>	10
protection commissioner	11
(2) Section 138ZLD(1), from 'The' to 'executive's'—	12
<i>omit, insert—</i>	13
The protection commissioner may provide the Minister with a report relating to the administration of this part, including the performance and exercise of the commissioner's	14 15 16 17
(3) Section 138ZLD(2), 'chief executive'—	18
<i>omit, insert—</i>	19
protection commissioner	20
(4) Section 138ZLD(2)—	21
<i>insert—</i>	22
<i>Note—</i>	23
See also the <i>Queensland Protection Commission Act 2026</i> , section 83 in relation to the requirement to report details of requests made under this subsection.	24 25 26
(5) Section 138ZLD(4)—	27
<i>omit.</i>	28

[s 131]

131	Omission of s 138ZN (Arrangements with chief executive (working with children) about asking for and giving information)	1 2 3
	Section 138ZN—	4
	<i>omit.</i>	5
132	Insertion of new s 235A	6
	After section 235—	7
	<i>insert—</i>	8
	235A Delegation by protection commissioner	9
	(1) The protection commissioner may delegate the commissioner's powers under part 5 to an appropriately qualified person who is a staff member of the commission.	10 11 12 13
	(2) In this section—	14
	<i>commission</i> means the Queensland Protection Commission established under the <i>Queensland Protection Commission Act 2026</i> , section 9.	15 16 17
133	Amendment of s 236 (Protecting officials from liability)	18
	(1) Section 236(3)—	19
	<i>insert—</i>	20
	<i>deputy commissioner</i> means a deputy commissioner under the <i>Queensland Protection Commission Act 2026</i> .	21 22 23
	(2) Section 236(3), definition <i>official</i> —	24
	<i>insert—</i>	25
	(ba) the protection commissioner; or	26
	(bb) a deputy commissioner; or	27
	(3) Section 236(3), definition <i>official</i> , paragraphs (ba) to (e)—	28
	<i>renumber</i> as paragraphs (c) to (g).	29

134	Insertion of new pt 9, div 15	1
	Part 9—	2
	<i>insert—</i>	3
	Division 15	4
	Transitional provisions for	5
	Queensland Protection	6
	Commission Act 2026	
	 Subdivision 1 Preliminary	7
	 394 Definitions for division	8
	In this division—	9
	<i>amended Act</i> means this Act as in force from the commencement.	10
		11
	<i>former</i> , in relation to a provision of this Act, means the provision as in force from time to time before the commencement.	12
		13
		14
	<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement.	15
		16
	 Subdivision 2 Applications, requests and things done	17
		18
	 395 Existing applications and requests made to chief executive	19
		20
	(1) This section applies if—	21
	(a) before the commencement, a disability worker screening application or request to withdraw an application was made under former part 5; and	22
		23
		24
		25
	(b) immediately before the commencement, the application or request had not been decided.	26
		27

[s 134]

- | | | |
|-----|---|------------------|
| (2) | The application or request is taken to have been made to, and must be dealt with by, the protection commissioner under new part 5. | 1
2
3 |
| (3) | Anything done by or in relation to the chief executive in relation to the application or request is taken to have been done by or in relation to the protection commissioner. | 4
5
6
7 |

396 Things done or started by the chief executive 8

- | | | |
|-----|--|----------------|
| (1) | This section applies to anything done or started by the chief executive before the commencement under former part 5— | 9
10
11 |
| (a) | whose effect had not ended, or that had not been finished, immediately before the commencement; and | 12
13
14 |
| (b) | that, on the commencement, is something the protection commissioner can do under new part 5; and | 15
16
17 |
| (c) | that is not otherwise dealt with under this division. | 18
19 |
| (2) | The thing done or started by the chief executive— | 20 |
| (a) | continues to have effect; and | 21 |
| (b) | from the commencement, is taken to have been done or started by the protection commissioner; and | 22
23
24 |
| (c) | for a thing started by the chief executive—may be completed by the protection commissioner under new part 5. | 25
26
27 |

397 Requirements of chief executive 28

- | | | |
|-----|--------------------------|----|
| (1) | This section applies if— | 29 |
|-----|--------------------------|----|

-
- (a) before the commencement, the chief executive was required under former part 5 to do something in relation to—
- (i) a disability worker screening application; or
- (ii) a clearance; and
- (b) on the commencement, the period within which the chief executive was required to do the thing has not passed.
- (2) The commissioner must do the thing under new part 5 in relation to the disability worker screening application or the clearance.
- (3) This section does not limit another provision of this division.

Subdivision 3 Information sharing arrangements

398 Information sharing arrangements

- (1) This section applies to an arrangement entered into between the chief executive and an entity under former part 5, division 8, subdivision 9.
- (2) From the commencement, the arrangement continues to have effect as an arrangement made under new part 5, division 8, subdivision 9 as if the arrangement were entered into between the protection commissioner and the entity.
- (3) In a document relating to the arrangement, a reference to the chief executive may be taken, if the context permits, to be a reference to the protection commissioner.

Subdivision 4 Reviews and appeals

[s 134]

399 Internal reviews not started on commencement	1 2
(1) This section applies if—	3
(a) before the commencement—	4
(i) the chief executive made a reviewable decision about a person; and	5 6
(ii) the person had not applied for an internal review of the decision under former section 138ZT; and	7 8 9
(b) on the commencement, the time for starting the internal review of the decision had not ended.	10 11 12
(2) From the commencement—	13
(a) the amended Act applies in relation to the subject matter of the internal review; and	14 15
(b) the person may apply for an internal review under new section 138ZT as if the reviewable decision were made by the protection commissioner.	16 17 18 19
 400 External reviews not started on commencement	 20 21
(1) This section applies if—	22
(a) before the commencement—	23
(i) a person was entitled to be given a QCAT information notice for an internal review decision under former section 138ZV; and	24 25 26 27
(ii) the person had not applied for an external review under former section 138ZW; and	28 29 30

[s 134]

-
- (b) on the commencement, the time for starting the external review of the decision had not ended. 1
2
3
 - (2) From the commencement— 4
 - (a) the amended Act applies in relation to the subject matter of the external review; and 5
6
 - (b) the person may apply for an external review under new section 138ZW as if the reviewable decision the subject of the internal review decision were made by the protection commissioner. 7
8
9
10
11

401 Undecided internal and external reviews 12

- (1) This section applies if, immediately before the commencement, an application made by a person under former section 138ZT or 138ZW for a reviewable decision had not been decided or withdrawn. 13
14
15
16
17
- (2) From the commencement, the review may be continued as if the reviewable decision were made by the protection commissioner. 18
19
20
- (3) The entity deciding the review must apply the amended Act in relation to the subject matter of the review. 21
22
23

402 Appeals not started on commencement 24

- (1) This section applies if— 25
 - (a) before the commencement, the chief executive had a right to appeal, under the QCAT Act, against a decision of QCAT relating to a reviewable decision; and 26
27
28
29
 - (b) on the commencement, the time for starting an appeal had not ended. 30
31
- (2) From the commencement, the protection 32

[s 135]

- commissioner may start an appeal against the
decision of QCAT as if the reviewable decision
were made by the commissioner.
- (3) The entity hearing the appeal must apply the
amended Act in relation to the subject matter of
the appeal.

403 Undecided appeals

- (1) This section applies if, immediately before the
commencement, an appeal against a decision of
QCAT relating to a reviewable decision started by
a person under the QCAT Act had not been
decided or withdrawn.
- (2) From the commencement, the appeal may be
continued as if the reviewable decision were made
by the protection commissioner.
- (3) The entity hearing the appeal must apply the
amended Act in relation to the subject matter of
the appeal.

135 Amendment of sch 8 (Dictionary)

- (1) Schedule 8, definitions *chief executive's screening functions*
and *chief executive (working with children)*—
omit.
- (2) Schedule 8—
insert—
- child safe functions* means the functions of the
protection commissioner under the *Child Safe
Organisations Act 2024*.
- commissioner's screening functions* means the
protection commissioner's functions under part 5.
- protection commissioner* means the
commissioner under the *Queensland Protection*

	<i>Commission Act 2026.</i>	1
	<i>working with children check functions</i> means	2
	the functions of the commissioner under the	3
	<i>Working with Children Check Act 2000.</i>	4
(3)	Schedule 8, definition <i>approved way</i> , paragraph (a), ‘chief executive’—	5
	<i>omit, insert—</i>	6
	protection commissioner	7
(4)	Schedule 8, definition <i>approved way</i> , paragraph (b)(i), ‘department’s’—	8
	<i>omit, insert—</i>	9
	protection commissioner’s	10
(5)	Schedule 8, definition <i>NDIS disciplinary or misconduct information</i> , paragraph (a), ‘chief executive’—	11
	<i>omit, insert—</i>	12
	protection commissioner	13
Division 4	Amendment of Working with Children Check Act 2000	14
136 Act amended		15
	This division amends the <i>Working with Children Check Act 2000</i> .	16
	<i>Note—</i>	17
	See also the amendments in schedule 2.	18
137 Amendment of s 8 (Chief executive’s main functions)		19
(1)	Section 8, heading, ‘Chief executive’s main’—	20
	<i>omit, insert—</i>	21
	Protection commissioner’s	22

[s 138]

(2)	Section 8, ‘chief executive’s main functions’—	1
	<i>omit, insert</i> —	2
	functions of the protection commissioner	3
138	Amendment of s 15 (What is a <i>serious offence</i>)	4
(1)	Section 15(1)—	5
	<i>insert</i> —	6
	(aa) an offence against a provision of an Act of the Commonwealth prescribed by regulation for this definition; or	7 8 9
(2)	Section 15(1)(b) to (e), after ‘(a)’—	10
	<i>insert</i> —	11
	or (b)	12
(3)	Section 15(1)(g), ‘paragraph (a) to (f)’—	13
	<i>omit, insert</i> —	14
	paragraph (a), (b), (c), (d), (e), (f) or (g)	15
(4)	Section 15(1)(aa) to (g)—	16
	<i>renumber</i> as section 15(1)(b) to (h).	17
(5)	Section 15(4), from ‘mentioned in’ to ‘for an Act’—	18
	<i>omit, insert</i> —	19
	of an Act mentioned in schedule 2 or 3, column 1 or a regulation made under subsection (1)(b)	20 21
139	Amendment of s 16 (What is a <i>disqualifying offence</i>)	22
(1)	Section 16(1)—	23
	<i>insert</i> —	24
	(aa) an offence against a provision of an Act of the Commonwealth prescribed by regulation for this definition; or	25 26 27

[s 140]

(2)	Section 16(1)(b) to (e), after ‘(a)’—	1
	<i>insert—</i>	2
	or (b)	3
(3)	Section 16(1)(f), ‘paragraph (a) to (e)’—	4
	<i>omit, insert—</i>	5
	paragraph (a), (b), (c), (d), (e) or (f)	6
(4)	Section 16(1)(aa) to (f)—	7
	<i>renumber</i> as section 16(1)(b) to (g).	8
(5)	Section 16(4), from ‘mentioned in’ to ‘for an Act’—	9
	<i>omit, insert—</i>	10
	of an Act mentioned in schedule 4 or 5, column 1	11
	or a regulation made under subsection (1)(b)	12
140	Amendment of s 187A (Application combined with disability worker screening application)	13
	Section 187A(4)—	14
	<i>omit, insert—</i>	15
	(4) If a combined application is made to the	16
	protection commissioner, the commissioner may,	17
	to the extent the information in the combined	18
	application relates to the applicant’s disability	19
	worker screening application, use the information	20
	for performing the commissioner’s disability	21
	worker screening functions.	22
		23
141	Amendment of s 196A (Withdrawal of combined application)	24
	Section 196A(5)—	25
	<i>omit, insert—</i>	26
	(5) If a combined withdrawal request is made to the	27
	protection commissioner, the commissioner may,	28
		29

[s 142]

to the extent the information in the combined
application relates to the withdrawal request, use
the information for performing the
commissioner's disability worker screening
functions.

**142 Amendment of s 238 (Term of working with children
authority)**

(1) Section 238(1) and (3), 'chief executive'—

omit, insert—

protection commissioner

(2) Section 238(2), 'The chief executive'—

omit, insert—

The protection commissioner

(3) Section 238(2)(a), 'chief executive (disability worker
screening)'—

omit, insert—

protection commissioner under the *Disability
Services Act 2006*, part 5

143 Amendment of s 239 (Term of exemption)

(1) Section 239(1) and (3), 'chief executive'—

omit, insert—

protection commissioner

(2) Section 239(2), 'The chief executive'—

omit, insert—

The protection commissioner

(3) Section 239(2)(a), 'chief executive (disability worker
screening)'—

omit, insert—

	protection commissioner under the <i>Disability Services Act 2006</i> , part 5	1 2
144	Amendment of ch 8, pt 6, div 4, hdg (Obtaining information from interstate police commissioner, working with children check national reference system or interstate screening unit)	3 4 5 6
	Chapter 8, part 6, division 4, heading, from ‘working with’—	7
	<i>omit, insert—</i>	8
	interstate screening unit or the ACC	9
145	Amendment of s 320 (Requesting further information about interstate convictions and charges)	10 11
	Section 320(1), from ‘about’ to ‘division 2’—	12
	<i>omit, insert—</i>	13
	, or national policing information, about a person obtained under division 2 or section 320C	14 15
146	Insertion of new s 320C	16
	After section 320B—	17
	<i>insert—</i>	18
	320C Requesting information or accessing records held by ACC	19 20
	(1) The chief executive may ask the ACC for information, or access to the ACC’s records, to enable the chief executive to learn what, if any, national policing information exists in relation to a person mentioned in section 310.	21 22 23 24 25
	(2) The chief executive may give information about the person to the ACC for a request under subsection (1).	26 27 28

[s 147]

147	Amendment of s 320C (Requesting information or accessing records held by ACC)	1 2
	Section 320C, as inserted by this Act, ‘chief executive’—	3
	<i>omit, insert—</i>	4
	protection commissioner	5
148	Amendment of s 343A (Requirement to notify Family and Child Commission of negative notice)	6 7
	(1) Section 343A, heading—	8
	<i>omit, insert—</i>	9
	343A Information relevant to protection commissioner’s child safe functions	10 11
	(2) Section 343A(1)(b), ‘chief executive’—	12
	<i>omit, insert—</i>	13
	protection commissioner	14
	(3) Section 343A(2)—	15
	<i>omit, insert—</i>	16
	(2) the protection commissioner may use information about the issuing or cancelling of the negative notice for performing the protection commissioner’s child safe functions.	17 18 19 20
149	Omission of s 344 (Giving information to chief executive (disability worker screening))	21 22
	Section 344—	23
	<i>omit.</i>	24
150	Amendment of s 345B (Giving information to ACC)	25
	Section 345B, heading, after ‘ACC’—	26
	<i>insert—</i>	27

[s 151]

	for working with children check national reference system	1 2
151	Insertion of new s 345BA	3
	After section 345B—	4
	<i>insert—</i>	5
	345BA Giving information to ACC for performance of particular functions	6 7
	(1) The chief executive may give information about a person to the ACC—	8 9
	(a) under an arrangement between the chief executive and the ACC for the performance of the ACC’s functions under the <i>Australian Crime Commission Act 2002</i> (Cwlth), section 7A(fa); or	10 11 12 13 14
	(b) if the chief executive reasonably believes the information is otherwise relevant to the functions of the ACC mentioned in paragraph (a).	15 16 17 18
	(2) In this section—	19
	<i>information</i> includes confidential information.	20
152	Amendment of s 345BA (Giving information to ACC for performance of particular functions)	21 22
	Section 345BA, as inserted by this Act, ‘chief executive’—	23
	<i>omit, insert—</i>	24
	protection commissioner	25
153	Amendment of s 351 (False or misleading disclosure)	26
	Section 351, penalty, ‘100’—	27
	<i>omit, insert—</i>	28

[s 154]

200	1
154 Amendment of s 352 (False or misleading documents)	2
Section 352(1), penalty, ‘100’—	3
<i>omit, insert—</i>	4
200	5
155 Amendment of s 370B (Obtaining information from persons)	6
Section 370B(3), penalty, ‘50’—	7
<i>omit, insert—</i>	8
100	9
156 Amendment of s 384 (Confidentiality of protected information)	10
(1) Section 384(1)(a)(i), ‘employed in the department’—	11
<i>omit.</i>	12
(2) Section 384(1)(b)(vi)—	13
<i>omit, insert—</i>	14
(vi) other information that the protection commissioner has considered in making an employment-screening decision about the person.	15
<i>Examples of other information about a person—</i>	16
• information about the person used in the performance of the protection commissioner’s disability worker screening functions	17
• information about the person given to the protection commissioner by an interstate screening unit	18
(3) Section 384(3), after ‘subsection (4)’—	19
<i>insert—</i>	20
	21
	22
	23
	24
	25
	26
	27
	28

[s 157]

	or (5)	1
(4)	Section 384(4)—	2
	<i>insert—</i>	3
	(ca) is permitted under section 386; or	4
(5)	Section 384(4)(ca) to (f)—	5
	<i>renumber</i> as section 384(4)(d) to (g).	6
(6)	Section 384—	7
	<i>insert—</i>	8
	(5) A person to which this section applies may use the	9
	protected information or disclose or give access to	10
	the protected information to another person for	11
	performing the protection commissioner’s child	12
	safe functions, if the person reasonably	13
	believes—	14
	(a) the protected information relates to whether	15
	a person poses a risk to the safety of	16
	children or a person with disability; and	17
	(b) the protected information is relevant to the	18
	performance of the functions.	19
157	Amendment of s 385 (Confidentiality of other	20
	information)	21
(1)	Section 385(3), after ‘subsection (4)’—	22
	<i>insert—</i>	23
	or (5)	24
(2)	Section 385(4)—	25
	<i>insert—</i>	26
	(ba) is permitted under section 386; or	27
(3)	Section 385(4)(ba) to (g)—	28
	<i>renumber</i> as section 385(4)(c) to (h).	29

[s 158]

(4) Section 385—	1
<i>insert—</i>	2
(5) A person to which this section applies may use the confidential information or disclose or give access to the confidential information to another person for performing the protection commissioner’s child safe functions, if the person reasonably believes—	3 4 5 6 7 8
(a) the confidential information relates to whether a person poses a risk to the safety of children or a person with disability; and	9 10 11
(b) the confidential information is relevant to the performance of the functions.	12 13
 158 Insertion of new s 386	 14
After section 385—	15
<i>insert—</i>	16
386 Use of information for disability worker screening functions	17 18
(1) The protection commissioner may use information obtained for the screening of a person under this Act to perform the commissioner’s disability worker screening functions in relation to the person if the commissioner reasonably believes the information is relevant to the disability worker screening functions.	19 20 21 22 23 24 25
(2) Without limiting subsection (1), the information that may be used includes—	26 27
(a) information about a working with children check application made by a person; and	28 29
(b) information about a working with children authority or negative notice held by a person; and	30 31 32

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- (c) police information, domestic violence information, disciplinary information or adverse interstate WWC information about a person; and
- (d) information related to police information about a person, including a section 93A transcript and a transcript of a recorded statement; and
- (e) information about a person's mental health.
- (3) This section applies despite any other Act or law, including a law imposing an obligation to maintain confidentiality about the information.

159 Amendment of s 393 (Protection from liability)

- (1) Section 393(3), definition *official*—
insert—
 - (aa) the protection commissioner; or
 - (ab) a deputy commissioner; or
- (2) Section 393(3), definition *official*, paragraphs (aa) to (c)—
renumber as paragraphs (b) to (e).
- (3) Section 393(3)—
insert—
deputy commissioner means a deputy commissioner under the *Queensland Protection Commission Act 2026*.

160 Amendment of s 395 (Reports by chief executive)

- (1) Section 395, heading, 'chief executive'—
omit, insert—
protection commissioner
- (2) Section 395(1) and (2), 'chief executive'—

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means the provision as in force from time to time 1
before the commencement. 2

new, in relation to a provision of this Act, means 3
the provision as in force from the commencement. 4

Division 2 Applications, requests and 5 **things done 6**

638 Existing applications and requests made to 7 **chief executive 8**

- (1) This section applies if— 9
- (a) before the commencement, a working with 10
children check application or request to 11
withdraw an application was made under 12
former chapter 8; and 13
- (b) immediately before the commencement, the 14
application or request had not been decided. 15
- (2) The application or request is taken to have been 16
made to, and must be dealt with by, the protection 17
commissioner under new chapter 8. 18
- (3) Anything done by or in relation to the chief 19
executive in relation to the application or request 20
is taken to have been done by or in relation to the 21
protection commissioner. 22

639 Things done or started by the chief executive 23

- (1) This section applies to anything done or started by 24
the chief executive before the commencement 25
under former chapter 8, 8A or 10— 26
- (a) whose effect had not ended, or that had not 27
been finished, immediately before the 28
commencement; and 29

[s 161]

- (b) that, on the commencement, is something the protection commissioner can do under new chapter 8, 8A or 10; and
 - (c) that is not otherwise dealt with under this part.
- (2) The thing done or started by the chief executive—
 - (a) continues to have effect; and
 - (b) from the commencement, is taken to have been done or started by the protection commissioner; and
 - (c) for a thing started by the chief executive—may be completed by the protection commissioner under new chapter 8, 8A or 10.

640 Requirements of chief executive

- (1) This section applies if—
 - (a) before the commencement, the chief executive was required under former chapter 8 to do something in relation to—
 - (i) a working with children check application; or
 - (ii) a working with children check authority; and
 - (b) immediately before the commencement, the thing had not been done; and
 - (c) on the commencement, the period within which the chief executive was required to do the thing has not passed.
- (2) The protection commissioner must, under new chapter 8, do the thing in relation to the working with children check application or the working with children check authority.

- (3) This section does not limit another provision of this part. 1
2

641 Particular disciplinary information received by chief executive before commencement 3
4

- (1) This section applies in relation to information received, before the commencement, by the chief executive under the *Disability Services Act 2006*, section 138ZG to the extent the information is disciplinary information or NDIS disciplinary or misconduct information under that Act. 5
6
7
8
9
10
- (2) From the commencement, the information is taken to be disciplinary information received by the protection commissioner. 11
12
13

Division 3 Information sharing arrangements 14
15

642 Information sharing arrangements 16

- (1) This section applies to an arrangement entered into between the chief executive and an entity under former chapter 8, part 6, division 3, 8A or 10 or chapter 10. 17
18
19
20
- (2) From the commencement, the arrangement continues to have effect as an arrangement made under new chapter 8, part 6, division 3, 8A or 10 or chapter 10 as if the arrangement were entered into between the protection commissioner and the entity. 21
22
23
24
25
26
- (3) In a document relating to the arrangement, a reference to the chief executive may be taken, if the context permits, to be a reference to the protection commissioner. 27
28
29
30

Division 4	Reviews and appeals	1
643 Reviews not started on commencement		2
(1) This section applies if—		3
(a) before the commencement—		4
(i) the chief executive made a chapter 8 reviewable decision about a person; and		5 6 7
(ii) the person had not applied for a review of the decision under former section 354; and		8 9 10
(b) on the commencement, the time for starting a review of the decision had not ended.		11 12
(2) From the commencement—		13
(a) the amended Act applies in relation to the subject matter of the review; and		14 15
(b) the person may apply for a review of the decision under new section 354 as if the chapter 8 reviewable decision were made by the protection commissioner.		16 17 18 19
644 Undecided reviews		20
(1) This section applies if, immediately before the commencement, an application made by a person under former section 354 for a chapter 8 reviewable decision had not been decided or withdrawn.		21 22 23 24 25
(2) From the commencement, the review may be continued as if the chapter 8 reviewable decision were made by the protection commissioner.		26 27 28
(3) The entity deciding the review must apply the amended Act in relation to the subject matter of the review.		29 30 31

645 Appeals not started on commencement	1
(1) This section applies if—	2
(a) before the commencement, the chief executive had a right to appeal, under the QCAT Act, against a decision of QCAT relating to a chapter 8 reviewable decision; and	3 4 5 6 7
(b) on the commencement, the time for starting an appeal had not ended.	8 9
(2) From the commencement, the protection commissioner may start an appeal against the decision of QCAT as if the chapter 8 reviewable decision were made by the protection commissioner.	10 11 12 13 14
(3) The entity hearing the appeal must apply the amended Act in relation to the subject matter of the appeal.	15 16 17
646 Undecided appeals	18
(1) This section applies if, immediately before the commencement, an appeal against a decision of QCAT relating to a chapter 8 reviewable decision started by a person under the QCAT Act had not been decided or withdrawn.	19 20 21 22 23
(2) From the commencement, the appeal may be continued as if the chapter 8 reviewable decision were made by the protection commissioner.	24 25 26
(3) The entity hearing the appeal must apply the amended Act in relation to the subject matter of the appeal as if the chapter 8 reviewable decision were made by the protection commissioner.	27 28 29 30
Division 5	
New serious offences and disqualifying offences	31 32

[s 161]

647 Effect of conviction for new serious offence on existing authority	1 2
(1) This section applies if—	3
(a) a person held a working with children clearance (an <i>existing authority</i>) or working with children exemption (also an <i>existing authority</i>) immediately before the commencement; and	4 5 6 7 8
(b) the person was, before the commencement, convicted of an offence that is, on the commencement, a new serious offence.	9 10 11
(2) From the commencement, the new serious offence is taken not to be a serious offence for applying this Act in relation to the person's existing authority.	12 13 14 15
(3) In this section—	16
<i>new serious offence</i> means an offence that—	17
(a) is a serious offence; but	18
(b) was not a serious offence immediately before the commencement.	19 20
 648 Effect of conviction for new disqualifying offence on existing authority	 21 22
(1) Subsections (2) and (3) apply if—	23
(a) a person held a working with children clearance (an <i>existing authority</i>) or working with children exemption (also an <i>existing authority</i>) immediately before the commencement; and	24 25 26 27 28
(b) the person was, before the commencement, convicted of an offence that is, on the commencement, a new disqualifying offence.	29 30 31 32
(2) From the commencement, the new disqualifying	33

[s 161]

offence is taken to be, or continues to be, a serious
offence for applying this Act in relation to the
person's existing authority.

(3) Also, if the person applies for another working
with children clearance or working with children
exemption after the commencement, the person's
conviction for the offence is taken to be, or to
continue to be, a conviction for a serious offence
for applying this Act in relation to the person.

(4) In this section—

new disqualifying offence means an offence
that—

(a) is a disqualifying offence; but

(b) was not a disqualifying offence immediately
before the commencement.

649 Existing reviews against relevant reviewable decisions must be dismissed

(1) This section applies if—

(a) before the commencement—

(i) a person applied, under section 354, to
QCAT for a review of a relevant
reviewable decision about the person;
and

(ii) the person the subject of the relevant
reviewable decision had, before the
commencement, been convicted of an
offence that is, on the commencement,
a new serious offence or new
disqualifying offence; and

(b) on the commencement, the review had not
been decided or withdrawn.

(2) QCAT must dismiss the application for review
and any proceeding in relation to the application.

[s 161]

(3) In this section—	1
<i>relevant reviewable decision</i> , about a person,	2
means a chapter 8 reviewable decision to—	3
(a) issue the person a negative notice; or	4
(b) refuse to cancel a negative notice issued to the person.	5
	6
650 Existing appeals against relevant reviewable decisions must be dismissed	7
	8
(1) This section applies if—	9
(a) before the commencement—	10
(i) the chief executive or another person had started an appeal, under the QCAT Act, against a decision of QCAT relating to a relevant reviewable decision; and	11
	12
	13
	14
	15
(ii) the person the subject of the relevant reviewable decision had, before the commencement, been convicted of a new serious offence or new disqualifying offence; and	16
	17
	18
	19
	20
(b) on the commencement, the appeal had not been decided or withdrawn.	21
	22
(2) The entity hearing the appeal must dismiss the appeal and any proceeding in relation to the appeal.	23
	24
	25
(3) In this section—	26
<i>relevant reviewable decision</i> , about a person,	27
means a chapter 8 reviewable decision to—	28
(a) issue the person a negative notice; or	29
(b) refuse to cancel a negative notice issued to the person.	30
	31

[s 162]

162	Amendment of sch 2 (Current serious offences)	1
(1)	Schedule 2, entry for Criminal Code, entry for section 323B— <i>omit.</i>	2 3
(2)	Schedule 2, before entry for <i>Classification of Publications Act 1991</i> — <i>insert—</i>	4 5 6

1A *Animal Care and Protection Act 2001*

Provision of Act	Relevant heading	Qualification	
17	Breach of duty of care prohibited	if the breach causes death, serious deformity, serious disability or prolonged suffering of an animal	
18	Animal cruelty prohibited		
(3)	Schedule 2, entry for Criminal Code— <i>insert—</i>		7 8
223	Distributing intimate images	if the offence was committed against a child	
229BC	Failure to report belief of child sexual offence committed in relation to child		
311	Aiding suicide		
314A	Unlawful striking causing death		
328A	Dangerous operation of a vehicle	only if an offender was or could have been liable as mentioned in section 328A(4)	

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408C	Fraud	if the offence was committed against a child	
(4)	Schedule 2, entry for Criminal Code, entry for section 317, column 3—		1 2
	<i>insert—</i>		3
	the offence is not a disqualifying offence		4
(5)	Schedule 2, entry for Criminal Code, entry for section 323A, column 3—		5 6
	<i>insert—</i>		7
	the offence is not a disqualifying offence		8
(6)	Schedule 2, entry for Criminal Code (Cwlth)—		9
	<i>omit.</i>		10
163	Amendment of sch 3 (Repealed or expired serious offences)		11 12
	Schedule 3, entry for Criminal Code (Cwlth)—		13
	<i>omit.</i>		14
164	Amendment of sch 4 (Current disqualifying offences)		15
(1)	Schedule 4, entry for Criminal Code—		16
	<i>insert—</i>		17
242	Serious animal cruelty		
307	Accessory after the fact to murder		
317	Acts intended to cause grievous bodily harm and other malicious acts	if the offence was committed against a child	

323A	Female genital mutilation	if the offence was committed against a child	
323B	Removal of child from State for female genital mutilation		
(2)	Schedule 4, entry for Criminal Code (Cwlth)—		1
	<i>insert—</i>		2
101.1	Terrorist acts	if resulting in death	
(3)	Schedule 4, entries for Criminal Code (Cwlth) and <i>Customs Act 1901</i> (Cwlth) —		3
	<i>omit.</i>		4
			5
165	Amendment of sch 5 (Repealed or expired disqualifying offences)		6
			7
	Schedule 5, entries for <i>Crimes Act 1914</i> (Cwlth) and Criminal Code (Cwlth)—		8
	<i>omit.</i>		9
			10
166	Amendment of sch 7 (Dictionary)		11
(1)	Schedule 7, definitions <i>chief executive (disability worker screening)</i> and <i>chief executive's screening functions</i> —		12
	<i>omit.</i>		13
			14
(2)	Schedule 7—		15
	<i>insert—</i>		16
	<i>child safe functions</i> means the functions of the protection commissioner under the <i>Child Safe Organisations Act 2024</i> .		17
			18
			19
	<i>commissioner's screening functions</i> means the protection commissioner's functions under		20
			21

[s 167]

chapter 8.	1
<i>disability worker screening functions</i> means the functions of the protection commissioner under the <i>Disability Services Act 2006</i> .	2 3 4
<i>protection commissioner</i> means the commissioner under the <i>Queensland Protection Commission Act 2026</i> .	5 6 7
(3) Schedule 7, definition <i>disciplinary information</i> , ‘received by the chief executive’—	8 9
omit, insert—	10
received or used by the protection commissioner	11
(4) Schedule 7, definition <i>disciplinary information</i> , paragraph (b), ‘section 138ZG’—	12 13
omit, insert—	14
section 138ZLCA	15
Division 5	
Other amendments	16
167 Legislation amended	17
Schedule 2 amends the legislation it mentions.	18

Schedule 1	Dictionary	1
	section 5	2
<i>advisory council</i>	means an advisory council established under section 21.	3 4
<i>board</i>	means the Child Death Review Board continued in existence under section 39.	5 6
<i>chairperson</i>	for part 4, division 5, means the chairperson of the board.	7 8
<i>child death register</i>	means the register kept by the commissioner under section 30.	9 10
<i>child protection system</i>	—	11
(a)	means—	12
(i)	generally—the system of services provided by relevant agencies to children and young people in need of protection or at risk of harm; and	13 14 15
(ii)	for part 4—the system of services provided by relevant agencies and other entities to children and young people in need of protection or at risk of harm; and	16 17 18 19
(b)	includes preventative and support services to strengthen and support families and prevent harm to children and young people.	20 21 22
<i>commission</i>	means the office called the Queensland Protection Commission established under section 9.	23 24
<i>commissioner</i>	means the Queensland Protection Commissioner appointed under section 11.	25 26
<i>confidential information</i>	includes information about a person's affairs but does not include—	27 28
(a)	information already publicly disclosed unless further disclosure of the information is prohibited by law; or	29 30

Schedule 1

- (b) statistical or other information that could not reasonably be expected to result in the identification of the person to whom the information relates.
1
2
3
- connected to the child protection system***, in relation to a child death, for part 4, see section 38.
4
5
- criminal history***, of a person, means—
6

 - (a) every conviction of the person for an offence, in Queensland or elsewhere, whether before or after the commencement of this definition, including spent convictions; and
7
8
9
10
 - (b) every charge made against the person for an offence, in Queensland or elsewhere, whether before or after the commencement of this definition; and
11
12
13
 - (c) every disqualification order made under the *Working with Children Check Act 2000* in relation to the person, whether before or after the commencement of this definition; and
14
15
16
17
 - (d) every disqualification order and offender prohibition order made under the *Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004* in relation to the person, whether before or after the commencement of this definition.
18
19
20
21
22
- deputy commissioner*** means a deputy commissioner appointed under section 12.
23
24
- education and care service*** see the Education and Care Services National Law (Queensland), section 5(1).
25
26
- harm***, to a child, see the *Child Protection Act 1999*, section 9.
27
- information***, for part 4, division 5, includes a document.
28
- in need of protection***, for a child or young person, means the child or young person—
29
30

 - (a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
31
32
33
 - (b) does not have a parent able and willing to protect the child or young person from the harm.
34
35

internal agency review see the <i>Child Protection Act 1999</i> ,	1
section 245B.	2
notice means written notice.	3
public entity means a public sector unit or relevant agency	4
and includes the chief executive, however described, of a	5
public sector unit or relevant agency.	6
public guardian means the public guardian under the <i>Public</i>	7
<i>Guardian Act 2014</i> .	8
register means the child death register kept by the	9
commissioner under section 30.	10
relevant agency means any of the following—	11
(a) the public guardian;	12
(b) the ombudsman;	13
(c) the human rights commissioner under the	14
<i>Anti-Discrimination Act 1991</i> ;	15
(d) the Domestic and Family Violence Death Review and	16
Advisory Board under the <i>Coroners Act 2003</i> ;	17
(e) the Queensland Police Service;	18
(f) the Director of Child Protection Litigation under the	19
<i>Director of Child Protection Litigation Act 2016</i> ;	20
(g) a public sector unit, government agency or publicly	21
funded non-government agency that is mainly	22
responsible for, or provides services or deals with	23
complaints in relation to, any of the following matters—	24
(i) Aboriginal and Torres Strait Islander policy or	25
services;	26
(ii) administration of justice or legal services to	27
children and young people;	28
(iii) care of children and young people;	29
(iv) child safety;	30
(v) community services;	31
(vi) corrective services;	32

Schedule 1

(vii) disability services;	1
(viii) education;	2
(ix) housing services;	3
(x) public health.	4
<i>young person</i> means a person, at least 18 years but no more	5
than 21 years, who is transitioning from being a child in care	6
under the <i>Child Protection Act 1999</i> to independence.	7

Schedule 2	Other amendments	1
	section 167	2
	Births, Deaths and Marriages Registration Act 2023	3
1	Sections 119, heading and 120, heading, ‘family and child’—	4
	<i>omit, insert—</i>	5
	protection	6
		7
2	Section 119(2) and (3), ‘family and child’—	8
	<i>omit, insert—</i>	9
	protection	10
3	Section 120(1), (2), (3) and (4), ‘family and child’—	11
	<i>omit, insert—</i>	12
	protection	13
4	Section 120(6), definition <i>child death research functions</i>, from ‘family and’—	14
	<i>omit, insert—</i>	15
	protection commissioner, means the	16
	commissioner’s functions under the <i>Queensland</i>	17
	<i>Protection Commission Act 2026</i>, part 3.	18
		19
5	Schedule 2, definition <i>family and child commissioner</i>—	20
	<i>omit.</i>	21

Schedule 2

6	Schedule 2—	1
	<i>insert—</i>	2
	<i>protection commissioner</i> means the	3
	commissioner under the <i>Queensland Protection</i>	4
	<i>Commission Act 2026.</i>	5
	Building Act 1975	6
1	Section 245I(1)(c), ‘family and child’—	7
	<i>omit, insert—</i>	8
	protection	9
2	Section 245I(4), definition <i>family and child</i>	10
	<i>commissioner—</i>	11
	<i>omit.</i>	12
3	Section 245I(4)—	13
	<i>insert—</i>	14
	<i>protection commissioner</i> means the	15
	commissioner under the <i>Queensland Protection</i>	16
	<i>Commission Act 2026.</i>	17
	Child Protection Act 1999	18
1	Sections 140A, 141H(1)(c), 141I(1)(c), 148A and 148B,	19
	‘chief executive (employment screening)’—	20
	<i>omit, insert—</i>	21
	protection commissioner	22

2	Section 245(4), ‘Family and Child Commission Act 2014, part 3A’—	1 2
	<i>omit, insert—</i>	3
	<i>Queensland Protection Commission Act 2026, part 4</i>	4 5
3	Schedule 3, definition <i>chief executive (employment screening)</i>—	6 7
	<i>omit.</i>	8
4	Schedule 3—	9
	<i>insert—</i>	10
	<i>protection commissioner</i> means the commissioner under the <i>Queensland Protection Commission Act 2026</i> .	11 12 13
5	Schedule 3, definition <i>child death review board</i>, from ‘established’—	14 15
	<i>omit, insert—</i>	16
	continued in existence under the <i>Queensland Protection Commission Act 2026</i> , section 39.	17 18
	Child Safe Organisations Act 2024	19
1	Amendments to replace ‘commission’ with ‘protection commissioner’—	20 21
	Each of the following provisions is amended by omitting ‘commission’ and inserting ‘protection commissioner’—	22 23
	• section 3	24
	• section 6	25

Schedule 2

• section 7(d)(iii)	1
• section 11	2
• chapter 2, part 3, division 1, heading	3
• section 13	4
• section 14	5
• chapter 2, part 3, division 2, heading	6
• section 15	7
• section 16	8
• section 17	9
• section 18	10
• section 19	11
• section 20	12
• section 22	13
• section 23	14
• section 24	15
• section 25	16
• section 30(1)(c)	17
• section 31	18
• section 33	19
• section 36	20
• section 38	21
• section 39	22
• section 40	23
• section 41	24
• section 42	25
• chapter 3, part 4, division 3, heading	26
• section 44	27
• section 45	28

•	section 46	1
•	section 48	2
•	section 49(1)(a), (m) and (2)(c)	3
•	section 52	4
•	section 53	5
•	section 54	6
•	section 59	7
•	section 60	8
•	section 67	9
•	section 68	10
•	section 70	11
•	section 91	12
•	section 98	13
•	section 99	14
•	section 100(1)	15
•	section 103	16
•	section 104	17
•	section 105	18
•	section 108	19
2	Amendments to replace ‘Commission’ with ‘Protection commissioner’—	20
		21
	Each of the following provisions is amended by omitting	22
	‘Commission’ and inserting ‘Protection commissioner’—	23
•	section 15	24
•	section 31	25
•	section 38	26
•	section 39	27
•	section 41	28

Schedule 2

	• section 42	1
	• section 43	2
	• section 44	3
	• section 45	4
3	Amendments to replace ‘commission’s’ with ‘protection commissioner’s’—	5
	Each of the following provisions is amended by omitting ‘commission’s’ and inserting ‘protection commissioner’s’—	6
	• section 13	7
	• section 17	8
	• section 18	9
	• section 22	10
	• section 24	11
	• section 39	12
	• section 40	13
	• section 45	14
	• section 49	15
	• section 52	16
	• section 54	17
	• section 98	18
	• section 104	19
	• section 108	20
4	Chapter 2, part 3, heading, from ‘Family’—	23
	<i>omit, insert—</i>	24
	Protection Commissioner	25

5	Chapter 3, part 4, heading, from ‘Family’—	1
	<i>omit, insert—</i>	2
	Protection Commissioner	3
6	Section 43(1), ‘commission may, on the commissioner’s’—	4
	<i>omit, insert—</i>	5
	protection commissioner may, on the commissioner’s	6 7
7	Section 43(1)(a) and (b), (2)(a) and (c), (3) and (4), ‘commission’—	8 9
	<i>omit, insert—</i>	10
	protection commissioner	11
8	Section 43(1)(c)(ii), ‘commission considers it is in the public interest that the commission’—	12 13
	<i>omit, insert—</i>	14
	protection commissioner considers it is in the public interest that the commissioner	15 16
9	Section 43(2), ‘commission starts an investigation under subsection (1), the commission’—	17 18
	<i>omit, insert—</i>	19
	protection commissioner starts an investigation under subsection (1), the commissioner	20 21
10	Section 47(1)(c)(i), ‘commission of its functions’—	22
	<i>omit, insert—</i>	23
	protection commissioner of the commissioner’s functions	24 25

Schedule 2

11	Section 49(4), ‘each commissioner’—	1
	<i>omit, insert—</i>	2
	the protection commissioner or a deputy	3
	commissioner	4
12	Section 50(1), ‘A commissioner’—	5
	<i>omit, insert—</i>	6
	The protection commissioner, a deputy	7
	commissioner	8
13	Section 50(3), after ‘the commissioner’—	9
	<i>insert—</i>	10
	, deputy commissioner	11
14	Section 62(2), from ‘ensure’ to ‘deal’—	12
	<i>omit, insert—</i>	13
	ensure that suitably qualified persons are	14
	available who can help the commissioner deal	15
15	Section 64(1), ‘The commission’—	16
	<i>omit, insert—</i>	17
	The protection commissioner	18
16	Section 64(2), from ‘commission may’ to ‘commission is’—	19
	<i>omit, insert—</i>	20
	protection commissioner may appoint a person as	21
	an authorised officer only if the commissioner is	22
		23

17	Section 65(3), definition <i>signed notice</i>, ‘a commissioner’—	1 2
	<i>omit, insert—</i>	3
	the protection commissioner or a deputy commissioner	4 5
18	Section 91(2)(f), ‘commissioner’s’—	6
	<i>omit, insert—</i>	7
	protection commissioner’s	8
19	Section 100(3), from ‘commission is’ to ‘the commission’—	9 10
	<i>omit, insert—</i>	11
	protection commissioner is taken to have confirmed the reviewable decision if, within 28 days after receiving the application for internal review, the commissioner	12 13 14 15
20	Section 100(4), from ‘If the commission’ to ‘commission is’—	16 17
	<i>omit, insert—</i>	18
	If the protection commissioner asks the applicant for further information about the application and does not given the applicant a written notice for the internal review decision with 28 days after receiving the further information, the commissioner is	19 20 21 22 23 24
21	Section 100(6), ‘principal’—	25
	<i>omit, insert—</i>	26
	protection	27

Schedule 2

22	Section 102(4), definition <i>official</i>, paragraph (b)—	1
	<i>omit, insert—</i>	2
	(b) the protection commissioner or a deputy commissioner; or	3 4
23	Section 106, ‘a commissioner’—	5
	<i>omit, insert—</i>	6
	the protection commissioner or a deputy commissioner	7 8
24	Section 107(1), from ‘A commissioner’ to ‘the commissioner’—	9 10
	<i>omit, insert—</i>	11
	The protection commissioner or a deputy commissioner may delegate a function or power of the protection commissioner or deputy commissioner	12 13 14 15
Coroners Act 2003		16
1	Sections 10A, 45, 46, 54A, 54B and 54C, ‘family and child’—	17 18
	<i>omit, insert—</i>	19
	protection	20
2	Section 91Y(9), definition <i>prescribed entity</i>, paragraph (b)—	21 22
	<i>omit, insert—</i>	23
	(b) the protection commissioner;	24

3	Schedule 2, definition <i>family and child commissioner</i>—	1
	<i>omit.</i>	2
4	Schedule 2—	3
	<i>insert—</i>	4
	<i>protection commissioner</i> means the	5
	commissioner under the <i>Queensland Protection</i>	6
	<i>Commission Act 2026.</i>	7
5	Schedule 2, definition <i>child death research functions</i>, from ‘the family’—	8
	<i>omit, insert—</i>	9
		10
	the protection commissioner, means the	11
	commissioner’s functions under the <i>Queensland</i>	12
	<i>Protection Commission Act 2026</i> , part 3.	13
	Crime and Corruption Act 2001	14
1	Section 278(1)(d)—	15
	<i>omit, insert—</i>	16
	(d) the commissioner under the <i>Queensland</i>	17
	<i>Protection Commission Act 2026</i> ;	18
2	Section 279(3), from ‘principal’ to ‘<i>Family and Child</i> <i>Commission Act 2014</i>’—	19
	<i>omit, insert—</i>	20
		21
	commissioner under the <i>Queensland Protection</i>	22
	<i>Commission Act 2026</i>	23

Schedule 2

3	Section 324(5)(a)—	1
	<i>omit, insert—</i>	2
	(a) the commissioner under the <i>Queensland</i>	3
	<i>Protection Commission Act 2026</i> ;	4

Disability Services Act 2006	5
-------------------------------------	---

1	Amendments to replace ‘chief executive’ with ‘protection commissioner’—	6
	Each of the following provisions is amended by omitting	8
	‘chief executive’ and inserting ‘protection commissioner’—	9
	• section 50	10
	• section 51	11
	• section 52	12
	• section 59	13
	• section 65	14
	• section 66	15
	• section 69	16
	• section 70	17
	• section 71	18
	• section 74	19
	• section 75	20
	• section 76	21
	• section 78	22
	• section 79	23
	• section 80	24
	• section 81	25
	• section 82	26

• section 83	1
• section 84	2
• section 85	3
• section 87	4
• section 88	5
• section 89	6
• section 90	7
• section 91	8
• section 92	9
• section 93	10
• section 94	11
• section 95	12
• section 96	13
• section 97	14
• section 98	15
• section 99	16
• section 100	17
• section 103	18
• section 104	19
• section 105	20
• section 106	21
• section 107	22
• section 108	23
• section 109	24
• section 110	25
• section 111	26
• section 112	27
• section 114	28

Schedule 2

• section 115	1
• section 116	2
• section 117	3
• section 118	4
• part 5, division 6, subdivision 3, heading	5
• section 119	6
• section 120	7
• section 121	8
• section 122	9
• section 123	10
• section 124	11
• section 125	12
• section 126	13
• section 127	14
• section 128	15
• section 129	16
• section 130	17
• section 132	18
• section 133	19
• section 134	20
• section 135	21
• section 136	22
• section 137	23
• section 138	24
• section 138A	25
• section 138C	26
• section 138D	27
• section 138E	28

• section 138G	1
• section 138H	2
• section 138J(1)(b), (2), (4) and (5)(b)	3
• section 138K	4
• section 138L	5
• section 138M(1) and (3)	6
• section 138Q(3)(d)	7
• section 138R(1), (2) and (5), definition <i>prescribed entity</i> , paragraph (d)	8 9
• section 138S	10
• section 138T	11
• section 138U	12
• section 138V	13
• section 138W	14
• section 138X	15
• section 138Y	16
• section 138Z	17
• section 138ZA	18
• section 138ZB	19
• section 138ZC	20
• section 138ZD	21
• section 138ZE	22
• section 138ZF	23
• section 138ZH	24
• section 138ZI	25
• section 138ZJ	26
• section 138ZK	27
• section 138ZLC	28

Schedule 2

•	section 138ZM	1
•	section 138ZO	2
•	section 138ZP	3
•	section 138ZQ	4
•	section 138ZR	5
•	section 138ZT	6
•	section 138ZU	7
•	section 138ZV	8
•	section 138ZY	9
•	section 138ZZ	10
•	section 138ZZA(1), (2) and (3)	11
•	section 138ZZB	12
2	Amendments to replace ‘Chief executive’ with ‘Protection commissioner’—	13
	Each of the following provisions is amended by omitting ‘Chief executive’ and inserting ‘Protection commissioner’—	14
	Each of the following provisions is amended by omitting ‘Chief executive’ and inserting ‘Protection commissioner’—	15
•	section 69, heading	16
•	section 82, heading	17
•	section 111, heading	18
•	section 117, heading	19
•	section 118, heading	20
•	section 137, heading	21
•	section 138W, heading	22
•	section 138ZA, heading	23
•	section 138ZK, heading	24
•	section 138ZM, heading	25
•	section 138ZQ, heading	26
•	section 138ZZA, heading	27
		28

3	Amendments to replace ‘chief executive’s’ with ‘protection commissioner’s’—	1
		2
	Each of the following provisions is amended by omitting	3
	‘chief executive’s’ and inserting ‘protection	4
	commissioner’s’—	5
	• section 81	6
	• section 108	7
	• section 110	8
	• section 115	9
	• section 121	10
	• section 131	11
	• section 133	12
	• section 135	13
	• section 138C	14
	• section 138D	15
	• section 138K	16
	• section 138Q(3)(d)	17
	• section 138R	18
	• section 138U	19
	• section 138X	20
	• section 138Y	21
	• section 138Z	22
	• section 138ZC	23
	• section 138ZF	24
	• section 138ZP	25
	• section 138ZV	26
4	Section 138C, heading, ‘Chief executive’s’—	27
	<i>omit, insert—</i>	28

	Protection commissioner's	1
5	Section 138D, heading, 'Chief executive's'—	2
	<i>omit, insert—</i>	3
	Protection commissioner's	4
6	Section 138J(1)(c), from 'given to' to 'cancels'—	5
	<i>omit, insert—</i>	6
	given to the protection commissioner, the	7
	commissioner issues the person an exclusion,	8
	including because the commissioner cancels	9
7	Section 138M(2), from 'chief executive's request' to 'screening'—	10
	<i>omit, insert—</i>	11
	protection commissioner's request if the director	12
	reasonably believes the information may help the	13
	commissioner to perform the commissioner's	14
	screening	15
8	Section 138N(1), 'the chief executive'—	16
	<i>omit, insert—</i>	17
	the protection commissioner	18
9	Section 138N(2)(b), from 'help'—	19
	<i>omit, insert—</i>	20
	help the protection commissioner to perform the	21
	commissioner's screening functions.	22
10	Section 138P(1), 'The chief executive'—	23
	<i>omit, insert—</i>	24

	The protection commissioner	1
11	Section 138Q(2), from ‘chief executive if’ to ‘screening’—	2
	<i>omit, insert—</i>	3
	protection commissioner if the State entity	4
	reasonably believes the information may help the	5
	commissioner to perform the commissioner’s	6
	screening	7
12	Section 138R(3), from ‘chief executive if’ to ‘screening’—	8
	<i>omit, insert—</i>	9
	protection commissioner if the entity reasonably	10
	believes the information may help the	11
	commissioner to perform the commissioner’s	12
	screening	13
13	Section 138ZZA(4), from ‘chief executive may’ to ‘is satisfied’—	14
	<i>omit, insert—</i>	15
	protection commissioner may make a decision in	16
	substitution for a decision the commissioner is	17
	taken to have made under subsection (3) if the	18
	commissioner is satisfied	19
		20
	Education (Accreditation of Non-State Schools) Act	21
	2017	22
1	Section 128(1) and (2), ‘chief executive (employment screening)’—	23
	<i>omit, insert—</i>	24
	protection commissioner	25
		26

Schedule 2

2	Section 128(5), definition <i>chief executive (employment screening)</i>—	1
	<i>omit.</i>	2
		3
3	Section 128(5)—	4
	<i>insert—</i>	5
	<i>protection commissioner</i> means the	6
	commissioner under the <i>Queensland Protection</i>	7
	<i>Commission Act 2026.</i>	8

Education and Care Services Act 2013 9

1	Part 3, division 7, heading, ‘chief executive (employment screening)’—	10
	<i>omit, insert—</i>	11
	protection commissioner	12
		13
2	Sections 91, 191 and 200, ‘chief executive (employment screening)’—	14
	<i>omit, insert—</i>	15
	protection commissioner	16
		17
3	Schedule 1, definition <i>chief executive (employment screening)</i>—	18
	<i>omit.</i>	19
		20
4	Schedule 1—	21
	<i>insert—</i>	22
	<i>protection commissioner</i> means the	23
	commissioner under the <i>Queensland Protection</i>	24

	<i>Commission Act 2026.</i>	1
	Education and Care Services National Law (Queensland) Act 2011	2 3
1	Section 19, definition <i>chief executive (employment screening)</i>— <i>omit.</i>	4 5 6
2	Section 19— <i>insert—</i> <i>protection commissioner</i> means the commissioner under the <i>Queensland Protection Commission Act 2026.</i>	7 8 9 10 11
3	Sections 20, 21 and 22, ‘chief executive (employment screening)’— <i>omit, insert—</i> protection commissioner	12 13 14 15
	Education (Queensland College of Teachers) Act 2005	16
1	Sections 14, 15D, 285, 285AA, 285A and 258B, ‘chief executive (employment screening)’— <i>omit, insert—</i> protection commissioner	17 18 19 20

Schedule 2

2	Schedule 3, definition <i>chief executive (employment screening)</i>—	1
	<i>omit.</i>	2
		3
3	Schedule 3—	4
	<i>insert—</i>	5
	<i>protection commissioner</i> means the	6
	commissioner under the <i>Queensland Protection</i>	7
	<i>Commission Act 2026.</i>	8

Inspector of Detention Services Act 2022 9

1	Section 19(1)(c)(iv)—	10
	<i>omit.</i>	11
2	Section 19(1)(c)—	12
	<i>insert—</i>	13
	(xii) the <i>Queensland Protection Commission Act</i>	14
	<i>2026.</i>	15
3	Section 19(1)(c)(v) to (xii)—	16
	<i>renumber</i> as section 19(1)(c)(iv) to (xi).	17

Integrity Act 2009 18

1	Schedule 1, entry for ‘<i>Family and Child Commission Act 2014</i>’—	19
	<i>omit.</i>	20
		21

2	Schedule 1—	1
	<i>insert—</i>	2
	<i>Queensland Protection Commission Act 2026</i>	3
	• the commissioner	4
	 Police Powers and Responsibilities Act 2000	5
1	Section 740(5)(e)—	6
	<i>omit, insert—</i>	7
	(e) the commissioner under the <i>Queensland Protection Commission Act 2026</i> .	8 9
2	Section 789A(5) and (6), ‘chief executive (employment screening)’—	10 11
	<i>omit, insert—</i>	12
	protection commissioner	13
3	Section 789A(8), definition <i>chief executive (employment screening)</i>—	14 15
	<i>omit.</i>	16
4	Section 789A(8)—	17
	<i>insert—</i>	18
	<i>protection commissioner</i> means the commissioner under the <i>Queensland Protection Commission Act 2026</i> .	19 20 21

Schedule 2

5	Section 789B(5) and (6), ‘chief executive (disability worker screening)’—	1 2
	<i>omit, insert—</i>	3
	protection commissioner	4
6	Section 789B(8), definition <i>chief executive (disability worker screening)</i>—	5 6
	<i>omit.</i>	7
7	Section 789B(8)—	8
	<i>insert—</i>	9
	<i>protection commissioner</i> means the commissioner under the <i>Queensland Protection Commission Act 2026</i> .	10 11 12

Public Guardian Act 2014 13

1	Section 86(a)—	14
	<i>omit, insert—</i>	15
	(a) the commissioner under the <i>Queensland Protection Commission Act 2026</i> ;	16 17

Public Sector Act 2022 18

1	Schedule 1, entry for ‘Queensland Family and Child Commission under the <i>Family and Child Commission Act 2014</i>’—	19 20 21
	<i>omit.</i>	22

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Schedule 2

4	Schedule 3—	1
	<i>insert—</i>	2
	<i>protection commissioner</i> means the	3
	commissioner under the <i>Queensland Protection</i>	4
	<i>Commission Act 2026.</i>	5
	 Victims’ Commissioner and Sexual Violence Review	6
	Board Act 2024	7
 1	Section 12(e)—	8
	<i>omit.</i>	9
 2	Section 12—	10
	<i>insert—</i>	11
	(ma) the <i>Queensland Protection Commission Act</i>	12
	<i>2026;</i>	13
 3	Section 12(f) to (ma)—	14
	<i>renumber</i> as section 12(e) to (m).	15
 4	Section 65(e)—	16
	<i>omit.</i>	17
 5	Section 65—	18
	<i>insert—</i>	19
	(ma) the <i>Queensland Protection Commission Act</i>	20
	<i>2026;</i>	21

6	Section 65(f) to (ma)—	1
	<i>renumber</i> as section 65(e) to (m).	2
	Working with Children Check Act 2000	3
1	Amendments to replace ‘chief executive’ with ‘protection commissioner’—	4
	Each of the following provisions is amended by omitting ‘chief executive’ and inserting ‘protection commissioner’—	5
	• section 18A	6
	• section 18B	7
	• section 18C	8
	• section 175	9
	• section 176C	10
	• section 187	11
	• section 189	12
	• section 190	13
	• section 190A	14
	• section 193(3)	15
	• section 193A	16
	• section 195	17
	• section 196	18
	• section 197	19
	• section 198	20
	• section 199	21
	• section 200	22
	• section 201	23
	• section 219	24
		25
		26

Schedule 2

• section 220	1
• section 221, definition <i>identifying information</i> , paragraph (a)	2 3
• section 222	4
• section 223	5
• section 224(1) and (6)	6
• section 225	7
• section 226	8
• section 227	9
• section 228	10
• section 229	11
• section 230	12
• section 231	13
• section 232	14
• section 233	15
• section 234	16
• section 235	17
• section 236	18
• section 237	19
• section 242	20
• section 243	21
• section 244	22
• section 245	23
• section 246	24
• section 246A	25
• section 246B	26
• section 246C	27
• section 246D	28

• section 246E	1
• section 246F	2
• section 246G	3
• section 246H	4
• section 246I(1) and (3)	5
• section 294	6
• section 295	7
• section 296	8
• section 297	9
• section 299	10
• section 300	11
• section 300A	12
• section 301	13
• section 302	14
• chapter 8, part 5A, division 3, heading	15
• section 303	16
• section 303A	17
• section 304	18
• section 304A	19
• section 304B	20
• section 304C(1) and (3)	21
• section 304D	22
• section 304E	23
• section 304F	24
• section 304G	25
• section 304HA	26
• section 304HB	27
• section 304I	28

Schedule 2

• section 304J	1
• section 304K(1)	2
• section 304L	3
• section 304M	4
• section 304N	5
• section 304O	6
• section 304P	7
• section 307	8
• section 308	9
• section 309	10
• section 310	11
• section 311	12
• section 312	13
• section 313	14
• section 314	15
• section 315	16
• section 315A	17
• section 316	18
• section 317	19
• section 318	20
• section 320	21
• section 320A	22
• section 320B	23
• section 323	24
• section 326	25
• section 328B	26
• section 328C	27
• section 329	28

• section 330	1
• section 331	2
• section 332	3
• section 333	4
• section 334	5
• section 335(1)	6
• section 336	7
• section 337(1), (2), (3), (4) and (5)	8
• section 338	9
• section 340	10
• section 341	11
• section 342	12
• section 343	13
• section 344AAA, definition <i>prescribed entity</i> , paragraph (b)	14 15
• section 344AAB	16
• section 344AAC(1) and (2)	17
• section 344AAE	18
• section 344AA	19
• section 344A(1)(a), (b) and (d), (2) and (3)	20
• section 344C	21
• section 345A	22
• section 345B	23
• section 345C	24
• section 346	25
• section 347	26
• section 348	27
• section 348A	28

Schedule 2

• section 350	1
• section 350A	2
• section 351	3
• section 352	4
• section 353, definition <i>chapter 8 reviewable decision</i>	5
• section 354	6
• section 354A	7
• section 354B	8
• section 357	9
• section 357E(g)	10
• section 357F	11
• section 357G	12
• section 357H	13
• chapter 9, part 2, heading	14
• section 368	15
• section 369	16
• section 370	17
• section 370A	18
• section 370B(2)	19
• section 370C(1)	20
• chapter 10, part 2, heading	21
• section 371	22
• section 372	23
• section 373	24
• section 374	25
• section 376	26
• section 397	27
• section 398(2)	28

•	section 398A(1), (2) and (3)	1
•	section 398B	2
•	section 399	3
•	section 400	4
•	section 401	5
•	schedule 7, definition <i>approved way</i>	6
•	schedule 7, definition <i>potential employer</i>	7
•	schedule 7, definition <i>risk assessment</i>	8
•	schedule 7, definition <i>working with children check national reference system</i>	9 10
2	Amendments to replace ‘Chief executive’ with ‘Protection commissioner’—	11 12
	Each of the following provisions is amended by omitting ‘Chief executive’ and inserting ‘Protection commissioner’—	13 14
•	section 190	15
•	section 190A	16
•	section 226	17
•	section 244	18
•	section 296	19
•	section 301	20
•	section 302	21
•	section 304HA	22
•	section 304J	23
•	section 311	24
•	section 330	25
•	section 335	26
•	section 336	27
•	section 337	28

Schedule 2

•	section 338	1
•	section 340	2
•	section 342	3
•	section 344AA	4
•	section 344A	5
•	section 354B	6
•	section 374	7
•	section 397	8
•	section 398	9
•	section 398A	10
3	Amendments to replace ‘chief executive’s’ with ‘protection commissioner’s’—	11 12
	Each of the following provisions is amended by omitting ‘chief executive’s’ and inserting ‘protection commissioner’s’—	13 14 15
•	section 222	16
•	section 223	17
•	section 224	18
•	section 246H	19
•	section 297, note	20
•	section 300	21
•	section 301(1), note	22
•	section 302(3), note	23
•	section 304B	24
•	section 304C(1), note	25
•	section 304F(1), note	26
•	section 304H	27
•	section 304I	28

	• section 304J	1
	• section 304N	2
	• section 311	3
	• section 315A	4
	• section 318	5
	• section 320	6
	• section 320A	7
	• section 320B	8
	• section 330	9
	• section 332	10
	• section 333	11
	• section 343	12
	• section 344	13
	• section 345A	14
	• section 370A	15
	• section 398B	16
	• section 399	17
4	Section 224(2), from ‘chief executive must’ to ‘executive may’—	18
	<i>omit, insert—</i>	19
		20
	protection commissioner must ask the college of	21
	teachers to advise the commissioner whether the	22
	commissioner may	23
5	Section 246J(1)(a), (3) and (4), ‘chief executive’—	24
	<i>omit, insert—</i>	25
	protection commissioner	26

Schedule 2

6	Section 246J(1)(c), ‘chief executive for’—	1
	<i>omit, insert—</i>	2
	protection commissioner for	3
7	Section 246J(2), ‘The chief executive’—	4
	<i>omit, insert—</i>	5
	The protection commissioner	6
8	Section 247(4), from ‘chief executive is aware’ to ‘executive must’—	7
	<i>omit, insert—</i>	8
	protection commissioner is aware the person is a	10
	police officer or registered teacher and, under part	11
	5A or part 7, division 1, the commissioner is	12
	required or permitted to issue a working with	13
	children clearance to the person, the	14
	commissioner must	15
9	Sections 294, heading and 315A, heading, ‘Chief executive’s’—	16
	<i>omit, insert—</i>	17
	Protection commissioner’s	18
10	Section 304K(2), from ‘chief executive decides’ to ‘executive is’—	20
	<i>omit, insert—</i>	21
	protection commissioner decides to cancel the	22
	person’s negative notice, the commissioner may	23
	decide to substitute a working with children	24
	authority if the commissioner is	25
		26

11	Section 304K(2), note, ‘chief executive’—	1
	<i>omit, insert—</i>	2
	commissioner	3
12	Section 319(1), ‘the chief executive’—	4
	<i>omit, insert—</i>	5
	the protection commissioner	6
13	Section 319(2)(c), ‘for the chief executive to’—	7
	<i>omit, insert—</i>	8
	for the protection commissioner to	9
14	Section 319(3), ‘the chief executive may’—	10
	<i>omit, insert—</i>	11
	the protection commissioner may	12
15	Section 335(2)—	13
	<i>omit, insert—</i>	14
	(2) The protection commissioner may ask the	15
	registered health practitioner who conducts the	16
	examination to give a report about the person’s	17
	mental health to the commissioner, and the	18
	registered health practitioner may give the report	19
	to the commissioner.	20
16	Section 337(8), from ‘chief executive an’ to ‘executive.’—	21
	<i>omit, insert—</i>	22
	protection commissioner an expert report about	23
	the charged person under this section does not	24
	prevent the commissioner applying under the	25
	<i>Mental Health Act 2016</i> , section 160(2) for leave	26

Schedule 2

	of the court to give the report to the commissioner.	1 2
17	Section 344AAC(3), from ‘chief executive if’ to ‘chief executive’s’—	3 4
	<i>omit, insert—</i>	5
	protection commissioner if the prescribed entity reasonably believes the information may help the commissioner to perform the commissioner’s	6 7 8
18	Section 344AAD(2), from ‘chief executive if’ to ‘chief executive’s’—	9 10
	<i>omit, insert—</i>	11
	protection commissioner if the prescribed entity reasonably believes the information may help the commissioner to perform the commissioner’s	12 13 14
19	Section 344A(1)(e), from ‘chief executive accepts’ to ‘chief executive’s’—	15 16
	<i>omit, insert—</i>	17
	protection commissioner accepts is authorised by the department to assist the commissioner in performing the commissioner’s	18 19 20
20	Section 370B(1), from ‘chief executive may’ to ‘chief executive to’—	21 22
	<i>omit, insert—</i>	23
	protection commissioner may, by written notice, ask a person for information the commissioner reasonably believes is necessary for the commissioner to	24 25 26 27

21	Section 370C(2), from ‘chief executive has’ to ‘chief executive did’—	1 2
	<i>omit, insert—</i>	3
	protection commissioner has possession of the documents, the commissioner must permit a person, who would be entitled to inspect the documents if the commissioner did	4 5 6 7
22	Section 398(1), ‘The chief executive’—	8
	<i>omit, insert—</i>	9
	The protection commissioner	10
23	Section 398A(4), from ‘The chief’ to ‘satisfied’—	11
	<i>omit, insert—</i>	12
	The protection commissioner may make a decision in substitution for a decision the commissioner is taken to have made under subsection (3) if the commissioner is satisfied	13 14 15 16
24	Schedule 7, definition <i>notifiable person</i>, paragraphs (a)(i) to (vi) and (viii) to (xi), ‘chief executive is aware’—	17 18
	<i>omit, insert—</i>	19
	protection commissioner is aware	20
25	Schedule 7, definition <i>notifiable person</i>, paragraph (a)(vii), from ‘chief executive’, first mention to ‘chief executive’, second mention—	21 22 23
	<i>omit, insert—</i>	24
	protection commissioner is aware that the person is carrying on a regulated business as a religious representative—an entity within the relevant organised or recognised religious group that the commissioner	25 26 27 28 29

Schedule 2

Working with Children (Risk Management and Screening) Regulation 2020 1
2

1 Section 5(1), ‘chief executive’— 3
omit, insert— 4
protection commissioner 5

2 Section 5(2), ‘section 385(4)(d)’— 6
omit, insert— 7
section 385(4)(e) 8

3 Schedule 2, item 2, ‘chief executive’— 9
omit, insert— 10
protection commissioner 11

Youth Justice Act 1992 12

1 Section 301S(2)(e)— 13
omit, insert— 14
(e) the commissioner under the *Queensland* 15
Protection Commission Act 2026; 16