

Queensland

Criminal Code and Other Legislation Amendment Bill 2026

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2026

A Bill

for

An Act to amend the *Bail Act 1980*, the Criminal Code, the *Evidence Act 1977*, the *Penalties and Sentences Act 1992*, the *Police Powers and Responsibilities Act 2000*, the *Summary Offences Act 2005*, the *Surat Basin Rail (Infrastructure Development and Management) Act 2012*, the *Transport Infrastructure Act 1994*, the *Transport Operations (Road Use Management) Act 1995*, the *Youth Justice Act 1992* and the legislation mentioned in schedule 1 for particular purposes

The Parliament of Queensland enacts—

Part 1 Preliminary

Clause 1 Short title

This Act may be cited as the *Criminal Code and Other Legislation Amendment Act 2026*.

Clause 2 Commencement

(1) This Act, other than the following provisions, commences on 1 July 2027—

(a) part 4;

(b) section 48(1) and (2);

(c) schedule 1, amendment of the *Transport and Other Legislation Amendment Act 2026*.

(2) Part 4 commences on the day that is 7 days after the date of assent.

(3) Section 48(1) and (2) and schedule 1, amendment of the *Transport and Other Legislation Amendment Act 2026* commence on the later of the following days—

(a) the date of assent;

(b) 1 March 2027.

Part 2 Amendment of Bail Act 1980

Clause 3 Act amended

This part amends the *Bail Act 1980*.

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Clause 4 Amendment of sch 1 (Prescribed offences)

(1) Schedule 1, entry for Criminal Code—

insert—

- section 319B (Recklessly causing grievous bodily harm)

(2) Schedule 1, entry for Criminal Code—

insert—

- section 334LA (Driving motor vehicles in race or speed trial causing death or grievous bodily harm)
- section 334LB (Driving motor vehicles carelessly causing death or grievous bodily harm)

(3) Schedule 1, entry for Criminal Code—

insert—

- section 417B (Criminal trespass on particular land)

Part 3 Amendment of Criminal Code

Clause 5 Code amended

This part amends the Criminal Code.

Clause 6 Amendment of s 1 (Definitions)

Section 1, definitions *unlawful race* and *unlawful speed trial*—

omit.

Clause 7 Insertion of new s 319B

After section 319A—

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insert—

319B Recklessly causing grievous bodily harm

(1) A person who unlawfully and recklessly does grievous bodily harm to another person commits a crime.

Maximum penalty—20 years imprisonment.

(2) For subsection (1), a person ***recklessly*** does grievous bodily harm to another person if—

(a) the person, in doing an act, is aware there is a substantial risk that the act could do bodily harm; and

(b) having regard to the circumstances known to the person, it is unjustifiable to take the risk.

(3) Without limiting subsection (2), a person ***recklessly*** does grievous bodily harm to another person if the harm is caused by the person intentionally striking the other person to the head or neck, unless the act of striking the other person is—

(a) done as a part of a socially acceptable function or activity; and

(b) reasonable in the circumstances.

(4) For subsection (2)(b), it is a question of fact as to whether taking a risk is unjustifiable.

(5) The *Penalties and Sentences Act 1992*, section 161Q states a circumstance of aggravation for an offence against this section.

(6) An indictment charging an offence against this section with the circumstance of aggravation stated in the *Penalties and Sentences Act 1992*, section 161Q may not be presented without the consent of a Crown Law Officer.

(7) On an indictment charging a person with an

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offence against subsection (1), the person may alternatively be convicted of the offence defined in section 320(1), with or without a circumstance of aggravation stated in section 320(3A), if that offence is established by the evidence.

(8) In this section—

function or activity includes a sporting event.

strike, a person, means directly apply force to the person by punching or kicking, or by otherwise hitting using any part of the body, with or without the use of a dangerous or offensive weapon or instrument.

Clause 8 Amendment of pt 5, ch 29B, hdg (Dangerous driving or operation of vehicles)

Part 5, chapter 29B, heading, after 'vehicles'—

insert—

etc.

Clause 9 Amendment of s 334G (Definitions for chapter)

Section 334G, definitions *unlawful race* and *unlawful speed trial*—

omit.

Clause 10 Amendment of s 334I (Driving motor vehicles dangerously)

(1) Section 334I(4)(b), from 'an unlawful'—

omit, insert—

a race or speed trial in contravention of the *Transport Operations (Road Use Management) Act 1995*, section 85(3); or

(2) Section 334I(4)(d)(v)—

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omit, insert—

(v) an offence against section 334LB; or

(3) Section 334I(5)(a)(ii)—

omit, insert—

(ii) section 334LB; or

Clause 11 Amendment of s 334K (Operating non-motor vehicles dangerously)

Section 334K(4)(b), from 'an unlawful'—

omit, insert—

a race or speed trial in contravention of the *Transport Operations (Road Use Management) Act 1995*, section 85(4); or

Clause 12 Insertion of new ss 334LA and 334LB

After section 334L—

insert—

334LA Driving motor vehicles in race or speed trial causing death or grievous bodily harm

(1) A person who takes part in a race or speed trial as the driver of a motor vehicle and causes the death of, or grievous bodily harm to, another person commits a crime.

Maximum penalty—600 penalty units or 7 years imprisonment.

(2) However, a person does not commit an offence against subsection (1) if—

(a) the commissioner of the police service has granted a permit for the conduct of the race or speed trial under the *Transport Operations (Road Use Management) Act 1995*, section 85; and

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(b) the person complies with any conditions imposed on the permit under that section applying to a driver taking part in the race or speed trial.

(3) Without otherwise limiting the *Penalties and Sentences Act 1992*, section 187, if the court convicts a person of an offence against subsection (1) the court, whether or not any other sentence is imposed, must disqualify the person from holding or obtaining a Queensland driver licence for a period of at least 1 year.

(4) In this section—

race or speed trial means—

(a) a race between motor vehicles on a road; or

(b) an attempt to establish or break any motor vehicle speed record on a road; or

(c) a trial of the speed of a motor vehicle on a road; or

(d) a competitive trial designed to test the skill of the driver of a motor vehicle or the reliability or mechanical condition of a motor vehicle on a road.

road see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

334LB Driving motor vehicles carelessly causing death or grievous bodily harm

(1) A person who drives a motor vehicle carelessly at any place and causes the death of, or grievous bodily harm to, another person commits a crime.

Maximum penalty—400 penalty units or 5 years imprisonment.

(2) For subsection (1), a person drives a motor vehicle ***carelessly*** if the person drives the motor

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vehicle without due care and attention having regard to all the circumstances, including the following—

(a) the nature, condition and use of the place;

(b) the nature and condition of the motor vehicle;

(c) the speed at which the motor vehicle is driven;

(d) the number of persons, vehicles or other objects that are, or might reasonably be expected to be, in the place;

(e) the concentration of alcohol in the person's blood, breath or urine;

(f) the presence of a drug in the person's saliva, blood or urine.

(3) Without otherwise limiting the *Penalties and Sentences Act 1992*, section 187, if the court convicts a person of an offence against subsection (1) the court, whether or not any other sentence is imposed, must disqualify the person from holding or obtaining a Queensland driver licence for a period of at least 9 months.

Clause 13 Amendment of s 334M (Licence disqualification if commission of offence involves driving motor vehicle)

Section 334M, heading, after 'vehicle'—

insert—

dangerously

Clause 14 Amendment of s 334N (Power to disqualify person from holding or obtaining Queensland driver licence)

Section 334N(1), 'section 334I'—

omit, insert—

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section 334I, 334LA or 334LB

Clause 15 Amendment of s 334O (Additional power to convict for offences against this chapter)

(1) Section 334O(1) and (2)—

omit, insert—

(1) This section applies if—

(a) a person is charged on indictment with an offence in connection with or arising out of the driving or operation, or interference with the driving or operation, of a vehicle by the person, including an offence against a chapter 29B provision; and

(b) another offence defined in a chapter 29B provision, with or without a circumstance of aggravation, is established by the evidence.

(2) The person may be convicted of the other offence.

(2) Section 334O(4), definition *chapter 29B provision*, 'or 334L'—

omit, insert—

, 334L, 334LA or 334LB

(3) Section 334O(4), definition *relevant circumstance of aggravation*—

omit.

Clause 16 Insertion of new pt 6, div 1, ch 38A

Part 6, division 1—

insert—

Chapter 38A Criminal trespass

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417B Criminal trespass on particular land

(1) A person who unlawfully enters or remains on land used for an agricultural purpose or defence manufacturing purpose with intent to commit an indictable offence on the land commits a crime.

Maximum penalty—7 years imprisonment.

(2) If, in relation to an offence against subsection (1)—

(a) the offender gains entry to the land by any break; or

(b) the offender commits an indictable offence, other than an offence constituted by conduct that is the gaining of entry to the land by any break; or

(c) the offender—

(i) uses or threatens to use actual violence; or

(ii) is armed with a dangerous or offensive weapon, instrument or noxious substance that the offender intends to use for committing the indictable offence; or

(iii) possesses or is operating a drone that the offender intends to use for committing the indictable offence; or

(iv) is in company with 1 or more persons; or

(v) damages any property, other than damage caused by gaining entry to the land by any break;

the offender commits a crime.

Maximum penalty—

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(a) if only paragraph (a), (b) or (c) applies—10 years imprisonment; or

(b) if both paragraphs (a) and (b), or both paragraphs (a) and (c), apply—14 years imprisonment.

(3) For subsection (2), a person gains entry to land by ***break*** if—

(a) the land is fully enclosed by a fence or other barrier, including a closed gate; and

(b) the person gains entry to the land by passing over, under or through the fence or other barrier by any means.

Examples—

- by opening a closed gate
- by creating an opening or gap in a fence

(4) For subsection (1), it is immaterial whether the land is also used for a purpose other than an agricultural purpose or defence manufacturing purpose.

(5) Without limiting section 24, it is a defence to a charge of an offence against this section to prove the accused person had no reasonable grounds for suspecting that the land was used for an agricultural purpose or defence manufacturing purpose.

(6) In this section—

agricultural purpose, in relation to land, means the land is used for—

(a) agriculture, including, for example, the following activities—

(i) cultivating soil;

(ii) broadcasting seed to establish an improved pasture;

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(iii) planting, gathering or harvesting a crop, including a food or fibre crop;

(iv) growing non-indigenous grasses, legumes or forage cultivars;

(v) horticulture or viticulture activities; or

(b) animal husbandry, including, for example, the following activities—

(i) breeding, keeping, raising or caring for animals, for commercial purposes;

(ii) establishing or operating a dairy, feedlot, piggery or animal saleyard;

(iii) grazing animals;

(iv) aquaculture;

(v) beekeeping;

(vi) poultry farming of more than 100 birds;

(vii) testing or inoculation of animals, including using diagnostic agents, serums and vaccines; or

(c) a holding facility; or

(d) a food production facility, including, for example, a facility that produces food for animal consumption; or

(e) the exhibition of animals, including, for example, the following uses—

(i) a wildlife park or zoo;

(ii) the display of an animal at a private event.

defence manufacturing purpose—

1 Land is used for a *defence manufacturing purpose* if it is used for the manufacture, assembling, testing, repair, maintenance,

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modification or storage of vehicles, weapons, equipment or technology, including the following—

(a) motor vehicles, vessels or aircraft;

(b) drones;

(c) radar systems;

(d) explosives, weapons or armour;

(e) a component of a thing mentioned in paragraph (a), (b), (c) or (d).

2 However, land is used for a *defence manufacturing purpose* only if a purpose mentioned in paragraph 1—

(a) is carried out directly or indirectly for the Australian Defence Force or a defence force of another country; and

(b) is authorised or permitted under a Commonwealth law.

Example of a Commonwealth law—

the *Defence Trade Controls Act 2012* (Cwlth)

holding facility means a place where 1 or more types of animal are regularly or periodically held or kept on a temporary basis, including, for example, any of the following—

(a) a local government reserve or commonage;

(b) a pound;

(c) an animal refuge;

(d) a meat processing facility;

(e) a live export holding;

(f) a showground for animals;

(g) a sporting ground for animals;

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(h) a stock route under the *Stock Route Management Act 2002*, schedule 3.

live export holding means—

(a) a depot for the export of live animals; or

(b) an embarkation point for the export of live animals.

meat processing facility means an abattoir or other facility at which animals are killed for meat for trade or commerce.

Clause 17 Amendment of s 552A (Charges of indictable offences that must be heard and decided summarily on prosecution election)

Section 552A(1)(a)—

insert—

- section 334LA(1)
- section 334LB(1)

Clause 18 Amendment of s 552BB (Excluded offences)

Section 552BB, table—

insert—

section 417B(2)	Criminal trespass on particular land	1 A charge for the indictable offence mentioned in section 417B(2)(b) is to be heard and decided on indictment or would be required to be heard and decided on indictment if the charge were laid.

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2 The offender is liable to imprisonment for 10 years or 14 years under section 417B(2), other than section 417B(2)(c)(iv) or (v).

3 The offender is liable to imprisonment for 10 years or 14 years under section 417B(2) that involves conduct under section 417B(2)(c)(v), the value of the property is equal to or more than the prescribed value and the offender does not plead guilty.

Clause 19 Insertion of new pt 9, ch 117

Part 9—

insert—

Chapter 117 Transitional provision for Criminal Code and Other Legislation Amendment Act 2026

776 References to particular provisions include references to pre-commencement provisions

(1) From the commencement—

(a) for applying sections 334I and 334K to an offence committed before the commencement, a reference in sections 334I(4)(b) and 334K(4)(b) to an offence against the *Transport Operations (Road Use Management) Act 1995*, section 85(3) or (4)

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is taken to be a reference to an offence committed before the commencement against former section 85(1) of that Act; and

(b) a reference in section 334I(4)(d)(v) and (5)(a)(ii) to an offence against section 334LB is taken to include a reference to an offence committed before the commencement against the *Transport Operations (Road Use Management) Act 1995*, former section 83(1), with a circumstance of aggravation stated in former paragraph (a) or (b) of the penalty for that provision.

(2) In this section—

former, in relation to a provision of an Act, means the provision as in force from time to time before the commencement.

Part 4 Amendment of Evidence Act 1977

Clause 20 Act amended

This part amends the *Evidence Act 1977*.

Note—

See also the amendment in schedule 1.

Clause 21 Amendment of s 21AZV (Chief executive to establish intermediaries panel)

(1) Section 21AZV(5)—

insert—

AQF means the Australian Qualifications Framework within the meaning of the *Higher Education Support Act 2003* (Cwlth), schedule 1.

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certificate IV means a qualification by that name under the AQF.

VET qualification see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

(2) Section 21AZV(5), definition *relevant qualification*, paragraph (a)—

omit, insert—

(a) a tertiary qualification, other than a VET qualification, in any of the following—

(i) education;

(ii) medicine;

(iii) nursing;

(iv) occupational therapy;

(v) psychology;

(vi) social work;

(vii) speech pathology; or

(3) Section 21AZV(5), definition *relevant qualification*—

insert—

(ab) a Certificate IV in Aboriginal and/or Torres Strait Islander Primary Health Care Practice; or

(4) Section 21AZV(5), definition *relevant qualification*, paragraphs (ab) and (b)—

renumber as paragraphs (b) and (c).

Part 5 Amendment of Penalties and Sentences Act 1992

Clause 22 Act amended

This part amends the *Penalties and Sentences Act 1992*.

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Clause 23 Amendment of s 9 (Sentencing guidelines)

Section 9(12), definition *relevant serious offence*—

omit, insert—

relevant serious offence means an offence against the following provisions of the Criminal Code—

(a) sections 302 and 305;

(b) sections 303 and 310;

(c) section 317;

(d) section 319B;

(e) section 320;

(f) section 323;

(g) section 334I;

(h) section 334J;

(i) section 334K;

(j) section 334L;

(k) section 334LA;

(l) section 334LB;

(m) section 339.

Clause 24 Amendment of s 126A (Particular provision for driver licence disqualifications)

Section 126A(1)(b)(ii), 'or 334N'—

omit, insert—

, 334N, 334LA(3) or 334LB(3)

Clause 25 Insertion of new pt 14, div 30

Part 14—

insert—

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Division 30 Transitional provision for Criminal Code and Other Legislation Amendment Act 2026

269 Relevant serious offence includes reference to particular offence committed before the commencement

From the commencement, section 9(12), definition *relevant serious offence* is taken to include a reference to an offence committed before the commencement against the *Transport Operations (Road Use Management) Act 1995*, section 83(1) as in force from time to time before the commencement, if the offence was committed in a circumstance stated in paragraph (a) or (b) of the penalty for that provision.

Clause 26 Amendment of sch 1 (Serious violent offences)

Schedule 1, entry for Criminal Code—

insert—

23A section 319B (Recklessly causing grievous bodily harm)

Clause 27 Amendment of sch 1C (Prescribed offences)

Schedule 1C, entry for Criminal Code—

insert—

- section 319B (Recklessly causing grievous bodily harm)

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Part 6 Amendment of Police Powers and Responsibilities Act 2000

Clause 28 Act amended

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

Clause 29 Amendment of s 69A (Meaning of *type 1* and *type 2 vehicle related offences*)

(1) Section 69A(1)(a)—

insert—

(ia) an offence against the Criminal Code, section 334LA;

(ib) an offence against the Criminal Code, section 334LB committed on a road or in a public place;

(2) Section 69A(1)(a)(ii), after 'section 83'—

insert—

committed on a road or in a public place

(3) Section 69A(1)(a)(iii), 'section 85'—

omit, insert—

section 85(3)

(4) Section 69A(1)(a)(ia) to (iv)—

renumber as section 69A(1)(a)(ii) to (vi).

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Part 7 Amendment of Summary Offences Act 2005

Clause 30 Act amended

This part amends the *Summary Offences Act 2005*.

Note—

See also the amendment in schedule 1.

Clause 31 Amendment of s 10A (Unlawful assembly)

(1) Section 10A(1), penalty, paragraph (a)(ii), '2 years'—

omit, insert—

3 years

(2) Section 10A(1), penalty, paragraph (b), '1 year's'—

omit, insert—

2 years

Clause 32 Amendment of s 11 (Trespass)

(1) Section 11(1), penalty, paragraph (a), '40 penalty units or 1 year's'—

omit, insert—

80 penalty units or 3 years

(2) Section 11(1), penalty, paragraph (b), '20 penalty units or 1 year's'—

omit, insert—

40 penalty units or 2 years

(3) Section 11(2), penalty, paragraph (a), '40 penalty units or 1 year's'—

omit, insert—

80 penalty units or 3 years

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(4) Section 11(2), penalty, paragraph (b), '20 penalty units or 1 year's'—

omit, insert—

40 penalty units or 2 years

Clause 33 Amendment of s 12 (Persons unlawfully gathering in or on a building or structure)

(1) Section 12(1), penalty, '10 penalty units or 6 months'—

omit, insert—

20 penalty units or 1 year's

(2) Section 12(3), penalty, '10 penalty units or 6 months'—

omit, insert—

20 penalty units or 1 year's

Clause 34 Amendment of s 13 (Unlawful entering or remaining on particular land)

(1) Section 13(1), penalty, '20 penalty units or 12 months'—

omit, insert—

40 penalty units or 2 years

(2) Section 13(3), penalty, '10 penalty units or 6 months'—

omit, insert—

20 penalty units or 1 year's

Clause 35 Amendment of s 26B (Publishing material about particular offending behaviour)

(1) Section 26B(5), definition *prescribed offence*, paragraph (c), 'using, interfering with or entering'—

omit, insert—

using or interfering with

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(2) Section 26B(5), definition *prescribed offence*—

insert—

(ca) an offence involving entering property, including, for example, an offence against—

(i) section 10A, 11, 12 or 13; or

(ii) the *Transport Infrastructure Act 1994*, section 257, 329 or 377; or

(iii) the Criminal Code, section 417B, 419 or 421;

(3) Section 26B(5), definition *prescribed offence*, paragraphs (ca) and (d)—

renumber as paragraphs (d) and (e).

Part 8 Amendment of Surat Basin Rail (Infrastructure Development and Management) Act 2012

Clause 36 Act amended

This part amends the *Surat Basin Rail (Infrastructure Development and Management) Act 2012*.

Clause 37 Amendment of s 49 (Trespassing on railway)

Section 49, penalty, after '40 penalty units'—

insert—

or 2 years imprisonment

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Part 9 Amendment of Transport Infrastructure Act 1994

Clause 38 Act amended

This part amends the *Transport Infrastructure Act 1994*.

Clause 39 Amendment of s 257 (Trespassing on railway)

Section 257, penalty, after '40 penalty units'—

insert—

or 2 years imprisonment

Clause 40 Amendment of s 329 (Trespass on busway or busway transport infrastructure)

Section 329(1), penalty, after '40 penalty units'—

insert—

or 2 years imprisonment

Clause 41 Amendment of s 377 (Trespass on light rail, light rail land, light rail transport infrastructure or light rail transport infrastructure works site)

Section 377(1), penalty, after '40 penalty units'—

insert—

or 2 years imprisonment

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Part 10 Amendment of Transport Operations (Road Use Management) Act 1995

Clause 42 Act amended

This part amends the *Transport Operations (Road Use Management) Act 1995*.

Note—

See also the amendment in schedule 1.

Clause 43 Amendment of s 80 (Breath and saliva tests, and analysis and laboratory tests)

(1) Section 80(8)(b), after 'section 334I'—

insert—

, 334LA or 334LB

(2) Section 80(8)(ba), 'or 334K'—

omit, insert—

, 334K, 334LA or 334LB

(3) Section 80(24)(c), after 'section 334I'—

insert—

, 334LA or 334LB

(4) Section 80(24)(d), 'or 334K'—

omit, insert—

, 334K, 334LA or 334LB

(5) Section 80(30), 'or 334K'—

omit, insert—

, 334K, 334LA or 334LB

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Clause 44 Amendment of s 83 (Careless driving of motor vehicles)

(1) Section 83(1), penalty—

omit, insert—

Maximum penalty—60 penalty units or 9 months imprisonment.

(2) Section 83(2) and (3)—

omit.

Clause 45 Amendment of s 85 (Racing and speed trials on roads)

(1) Section 85(1)—

omit, insert—

(1) A person must not organise or promote a race or speed trial unless the commissioner has granted a permit for the conduct of the race or speed trial under this section.

Maximum penalty—40 penalty units or 6 months imprisonment.

(1A) A person who is granted a permit to conduct a race or speed trial on which conditions are imposed must—

(a) comply with the conditions; and

(b) take reasonable steps to ensure each other person taking part in the race or speed trial complies with any conditions applying to the other person.

Maximum penalty—40 penalty units or 6 months imprisonment.

(1B) Subject to subsection (5), a person must not take part in a race or speed trial as the driver of a motor vehicle.

Maximum penalty—80 penalty units or 1 year's imprisonment.

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(1C) Subject to subsection (5), a person must not take part in a race or speed trial as the driver of a vehicle other than a motor vehicle.

Maximum penalty—40 penalty units or 6 months imprisonment.

(1D) A person does not commit an offence against subsection (3) or (4) if—

(a) the commissioner has granted a permit for the conduct of the race or speed trial under this section; and

(b) the person complies with any conditions imposed on the permit applying to a driver taking part in the race or speed trial.

(2) Section 85(2), 'permits under this section'—

omit, insert—

a permit to conduct a race or speed trial

(3) Section 85(5) and (6)—

omit, insert—

(5) Without otherwise limiting the *Penalties and Sentences Act 1992*, section 187, if the court convicts a person of an offence against subsection (3) the court, whether or not any other sentence is imposed, must disqualify the person from holding or obtaining a Queensland driver licence for a period of at least 6 months.

(4) Section 85(1A) to (5)—

renumber as section 85(2) to (9).

(5) Section 85—

insert—

(10) In this section—

race or speed trial means—

(a) a race conducted on a road between—

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(i) motor vehicles only; or

(ii) non-motor vehicles only; or

(b) an attempt to establish or break any vehicle speed record on a road; or

(c) a trial of the speed of a vehicle on a road; or

(d) a competitive trial designed to test the skill of the driver of a vehicle or the reliability or mechanical condition of a vehicle on a road.

Clause 46 Amendment of s 86 (Disqualification of drivers of motor vehicles for certain offences)

Section 86(1)(c), (1C)(a), (1D)(a), (1E)(a), (2)(c), (2E)(b), (2F)(b)(i), (3), (3A)(a), (3B)(a) and (3D)(a), after 'section 334I'—

insert—

, 334LA or 334LB

Clause 47 Amendment of s 89 (Power to disqualify person from holding or obtaining Queensland driver licence)

Section 89(1)(a)(i), after 'section 334I'—

insert—

, 334LA or 334LB

Clause 48 Amendment of s 123P (Evidence about analysing instruments)

(1) Section 123P(1), from 'an offence' to '334K'—

omit, insert—

a relevant offence

(2) Section 123P(2)—

insert—

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relevant offence means—

(a) an offence against a provision of a transport Act; or

(b) an offence against the Criminal Code, section 334I or 334K; or

(c) a relevant assault offence under the *Police Powers and Responsibilities Act 2000*, section 548B.

(3) Section 123P(2), definition *relevant offence*, as inserted by this Act, paragraph (b), 'or 334K'—

omit, insert—

, 334K, 334LA or 334LB

Clause 49 Insertion of new ch 7, pt 31

Chapter 7—

insert—

Part 31 Transitional provision for Criminal Code and Other Legislation Amendment Act 2026

263 Matters relating to offences committed before commencement against former s 83 or 85

(1) This section applies in relation to an offence committed before the commencement against former section 83 or 85.

(2) Without limiting the *Acts Interpretation Act 1954*, section 20, a proceeding for the offence may be continued or started, and the person may be convicted of and punished for the offence, as if the amendment Act had not commenced.

(3) Former sections 83 and 89 continue to apply in

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relation to the proceeding as if the amendment Act had not commenced.

(4) In this section—

amendment Act means the *Criminal Code and Other Legislation Amendment Act 2026*.

former, in relation to a provision of this Act, means the provision as in force before the commencement.

Clause 50 Amendment of sch 4 (Dictionary)

Schedule 4, definition *traffic history*, paragraph (b), 'and 334L'—

omit, insert—

, 334L, 334LA and 334LB

Part 11 Amendment of Youth Justice Act 1992

Clause 51 Act amended

This part amends the *Youth Justice Act 1992*.

Clause 52 Amendment of s 150 (Sentencing principles)

Section 150(11), definition *relevant serious offence*—

omit, insert—

relevant serious offence means an offence against the following provisions of the Criminal Code—

(a) sections 302 and 305;

(b) sections 303 and 310;

(c) section 317;

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(d) section 319B;
(e) section 320;
(f) section 323;
(g) section 334I;
(h) section 334J;
(i) section 334K;
(j) section 334L;
(k) section 334LA;
(l) section 334LB;
(m) section 339.

Clause 53 Amendment of s 175A (Sentence orders—significant offences to which adult penalties apply)

(1) Section 175A(1)—

insert—

(ra) section 319B;

(2) Section 175A(1)—

insert—

(zba) section 334LA;
(zbb) section 334LB;

(3) Section 175A(1)—

insert—

(zpa) section 417B;

Clause 54 Insertion of new pt 11, div 33

Part 11—

insert—

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Division 33 Transitional provision for Criminal Code and Other Legislation Amendment Act 2026

458 Relevant serious offence includes reference to particular offence committed before commencement

From the commencement, section 150(11), definition *relevant serious offence* is taken to include a reference to an offence committed before the commencement against the *Transport Operations (Road Use Management) Act 1995*, section 83(1) as in force from time to time before the commencement, if the offence was committed in a circumstance stated in paragraph (a) or (b) of the penalty for that provision.

Clause 55 Amendment of sch 4 (Dictionary)

(1) Schedule 4, definition *prescribed indictable offence*, paragraph (c)—

insert—

(via) section 334LA;

(vib) section 334LB;

(2) Schedule 4, definition *prescribed indictable offence*, paragraph (c)—

insert—

(xa) section 417B;

(3) Schedule 4, definition *prescribed indictable offence*, paragraph (c)(via) to (xi)—

renumber as paragraph (c)(vii) and (xiv).

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Part 12 Other amendments

Clause 56 Legislation amended

Schedule 1 amends the legislation it mentions.

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Schedule 1 Other amendments

section 56

Disability Services Act 2006

1 Schedule 2, item 2—

insert—

319B	Recklessly causing grievous bodily harm

Evidence Act 1977

1 Section 21M(3), definition *prescribed special offence*, after '317,'—

insert—

319B,

Forestry Regulation 2024

1 Section 25(1)(a)—

omit, insert—

(a) section 83;

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Introduction Agents Act 2001

1 Schedule 1, part 1, item 7, after 'vehicles'—

insert—

etc.

2 Schedule 1, part 1—

insert—

14A chapter 38A (Criminal trespass)

Liquor Regulation 2002

1 Section 36CA(7), definition *serious assault*, 'section 320'—

omit, insert—

section 319B, 320

Mental Health Act 2016

1 Schedule 3, definition *prescribed offence*—

insert—

(da) section 319B (Recklessly causing grievous bodily harm);

2 Schedule 3, definition *prescribed offence*, paragraphs (da) to (h)—

renumber as paragraphs (e) to (i).

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Nature Conservation (Protected Areas Management) Regulation 2024

1 Section 240(1)(a)—

omit, insert—

(a) section 83;

Recreation Areas Management Regulation 2024

1 Section 20(1)(a)—

omit, insert—

(a) section 83;

Security Providers Act 1993

1 Schedule 1, part 1, item 10, after 'vehicles'—

insert—

etc.

2 Schedule 1, part 1—

insert—

17A chapter 38A (Criminal trespass)

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State Penalties Enforcement Regulation 2014

1 Schedule 1, entry for *Summary Offences Act 2005*, entries for sections 11(1) and 11(2)—

omit.

2 Schedule 1, entry for *Summary Offences Act 2005*—

insert—

s 11(1)	in the circumstances in paragraph (a) of the penalty	8
	in other circumstances	4
s 11(2)	in the circumstances in paragraph (a) of the penalty	8
	in other circumstances	4

3 Schedule 1, entry for *Summary Offences Act 2005*, entries for sections 12(1) and 12(3), column 2, '1'—

omit, insert—

2

4 Schedule 1, entry for *Summary Offences Act 2005*, entry for section 13(1), column 2, '2'—

omit, insert—

4

5 Schedule 1, entry for *Summary Offences Act 2005*, entry for section 13(3), column 2, '1'—

omit, insert—

2

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6 Schedule 1, entry for *Transport Operations (Road Use Management) Act 1995*, entry for section 83(1)—

omit.

7 Schedule 1, entry for *Transport Operations (Road Use Management) Act 1995*—

insert—

s 83	4

Summary Offences Act 2005

1 Section 19B(b)(iv), 'section 85'—

omit, insert—

section 85(4)

Tow Truck Act 2023

1 Schedule 1, part 1, item 14, after 'vehicles'—

insert—

etc.

2 Schedule 1, part 1—

insert—

23A	chapter 38A (Criminal trespass)

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3 Schedule 1, part 1, items 23A to 37—

renumber as items 24 to 39.

Transport and Other Legislation Amendment Act 2026

1 Section 93(2)—

omit, insert—

(2) Section 123P(1), 'or saliva analysing instrument'—

omit.

2 Section 93(4)—

omit.

Transport Operations (Passenger Transport) Act 1994

1 Schedule 1, part 1, item 8A, after 'vehicles'—

insert—

etc.

2 Schedule 1, part 1—

insert—

15A chapter 38A (Criminal trespass)

3 Schedule 1A, part 3, division 1—

insert—

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13A chapter 38A (Criminal trespass)

Transport Operations (Road Use Management) Act 1995

1 Schedule 2—

insert—

section 319B (Recklessly causing grievous bodily harm)

Weapons Act 1990

1 Section 5A(1)(a)—

insert—

(iia) section 319B;

2 Section 5A(1)(a)(iia) to (v)—

renumber as section 5A(1)(a)(iii) to (vi).

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