



Queensland

# **Child Protection (Offender Reporting) Amendment Bill 2013**





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# Child Protection (Offender Reporting) Amendment Bill 2013

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**2013**

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**A Bill**

for

**An Act to amend the *Child Protection (Offender Reporting) Act 2004* for particular purposes**

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<b>The Parliament of Queensland enacts—</b>	1
<b>Clause 1 Short title</b>	2
This Act may be cited as the <i>Child Protection (Offender Reporting) Amendment Act 2013</i> .	3 4
<b>Clause 2 Act amended</b>	5
This Act amends the <i>Child Protection (Offender Reporting) Act 2004</i> .	6 7
<b>Clause 3 Insertion of new ss 74C and 74D</b>	8
Part 6—	9
<i>insert—</i>	10
<b>74C Police functions include ensuring compliance with reporting requirement</b>	11 12
To remove any doubt, it is declared that the functions of the police service include ensuring compliance with a reporting obligation by a reportable offender.	13 14 15
<i>Note—</i>	16
See the <i>Police Powers and Responsibilities Act 2000</i> , section 19 for a police officer’s general powers to enter to make inquiries, investigations or serve documents.	17 18 19
<b>74D Power to enter and search premises without consent or warrant to ensure compliance</b>	20 21
(1) Subject to subsection (2), for ensuring compliance with a reporting obligation by a reportable offender, a police officer may, without the consent of the occupier of the premises or a warrant—	22 23 24 25 26
(a) at any reasonable time, enter and stay on a premises reported by the reportable offender	27 28

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- to be a premises at which the reportable offender generally resides; and
  - (b) stay at the premises for a reasonable time to investigate a matter or make an inquiry to find out whether a detail required to be reported by the reportable offender under section 16 has been correctly reported; and
  - (c) search the premises for any thing (the *evidence*) that may be evidence of the commission of an offence against section 50 or 51.
- (2) Before entering the premises the police officer must do or make a reasonable attempt to—
- (a) tell the occupier the purpose of the entry; and
  - (b) tell the occupier the officer is permitted under this Act to enter the place without the occupier’s consent or a warrant.
- (3) If the police officer enters the premises and finds the evidence, the following provisions have effect—
- (a) the officer may seize the evidence;
  - (b) the officer may keep the evidence for 6 months or, if a prosecution for an offence against this Act in the commission of which the evidence may have been used or otherwise involved is instituted within that period, until the completion of the proceeding for the offence and any appeal in relation to the proceeding;
  - (c) if the evidence is a document—while the officer has possession of the document, the officer may take extracts from and make copies of the document, but must allow the document to be inspected at any reasonable time by a person who would be entitled to

[s 3]

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- inspect it if it were not in the officer's possession. 1  
2
- (4) A police officer does not contravene section 3  
70(1) only because the officer complies with 4  
subsection (2). 5
- (5) In this section— 6  
*premises* does not include a part of the premises 7  
used exclusively by a person other than the 8  
reportable offender. 9

Authorised by the Parliamentary Counsel