

Grammar Schools Bill 2016

Amendments during consideration in detail to be moved by
The Honourable the Minister for Education and Minister for Tourism and
Major Events

1 **Clause 21 (Criminal history report)**

Page 16, lines 8 to 10—

omit.

2 **Clause 22 (Criminal history reports confidential)**

Page 16, lines 11 to 32—

omit.

3 **After clause 23**

Page 17, after line 12—

insert—

23A Confidentiality of criminal history information

- (1) This section applies to a person who possesses either of the following because the person is or was an officer, employee or agent of the department—
 - (a) a report or information given to the Minister under section 21;
 - (b) a notice or information given to the Minister under section 23.
- (2) The report, notice or information is ***criminal history information***.
- (3) The person must not, directly or indirectly, disclose criminal history information to any other person unless the disclosure is permitted under subsection (4).

Maximum penalty—100 penalty units.

- (4) The person is permitted to disclose the criminal history information to another person—

- (a) to the extent necessary to perform the person's functions under this Act; or
 - (b) if the disclosure is authorised under an Act; or
 - (c) if the disclosure is otherwise required or permitted by law; or
 - (d) if the person to whom the information relates consents to the disclosure; or
 - (e) if the disclosure is in a form that does not identify the person to whom the information relates; or
 - (f) if the information is, or has been, lawfully accessible to the public.
- (5) The Minister must ensure a document containing criminal history information is destroyed as soon as practicable after it is no longer needed for the purpose for which it was given.

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