

Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025

Amendments during consideration in detail to be moved by
The Honourable the Minister for Police and Emergency Services

1 After clause 19

Page 10, after line 6—

insert—

Part 3A Amendment of Public Sector Act 2022

19A Act amended

This part amends the *Public Sector Act 2022*.

19B Amendment of ch 9, hdg (Repeal, savings and transitional provisions)

Chapter 9, heading, ‘savings and transitional’—

omit, insert—

transitional, declaratory and validating

19C Amendment of ch 9, pt 2, hdg (Savings and transitional provisions for Act No. 34 of 2022)

Chapter 9, part 2, heading, ‘Savings and
transitional’—

omit, insert—

Transitional

19D Insertion of new ch 9, pt 4

Chapter 9—

insert—

Part 4

Declaratory and validating provisions for Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Act 2025

Division 1

Preliminary

330 Definitions for part

In this part—

fire commissioner means the commissioner under the *Fire Services Act 1990*.

fire services department means the department in which the *Fire Services Act 1990* is administered.

repealed Act means the repealed *Public Service Act 2008*.

331 Particular references

In this part—

- (a) a reference to the *Fire Services Act 1990* is a reference to that Act as in force from time to time; and
- (b) a reference to a provision of the repealed Act is a reference to the provision as in force from time to time

Division 2 Provisions relating to Fire Services Act 1990

332 Particular fire commissioner

- (1) This section applies in relation to a person who—
 - (a) before the commencement, was appointed under the *Fire Services Act 1990* as a fire commissioner; and
 - (b) was, under the repealed Act, section 94, appointed or purportedly appointed by the relevant Minister to act, during the validation period, as the chief executive of the fire services department.
- (2) It is declared that, despite the *Fire Services Act 1990*—
 - (a) the relevant Minister is taken to have always had the power to appoint the person to act, during the validation period, as the chief executive of the fire services department; and
 - (b) the person is taken to have been validly appointed under the repealed Act, section 94 to act, during the validation period, as the chief executive of the fire services department.
- (3) Anything done or omitted to be done by the person, or another entity, during the validation period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed under the repealed Act, section 94 to act as the chief executive of the fire services department for that period.
- (4) Anything done or omitted to be done by an

entity, relying on the validity of a decision made or other thing done by the person or an entity during the validation period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act as the chief executive of the fire services department under the repealed Act, section 94 when the decision was made or other thing done.

(5) In this section—

relevant Minister means the Minister administering the fire services department when the appointment or purported appointment mentioned in subsection (1)(b) was made.

validation period means the period from 1 November 2013 to 30 June 2014, both days inclusive.

333 Particular acting fire commissioners—1 November 2013 to 20 May 2014

(1) This section applies in relation to a person who, during the validation period—

(a) was, under the *Fire Services Act 1990*, appointed or purportedly appointed by the relevant Minister to act in the office of fire commissioner for a particular period (the ***acting period***); and

(b) was, under the repealed Act, section 94, appointed or purportedly appointed by the relevant Minister to act as the chief executive of the fire services department for the acting period.

(2) It is declared that, despite the *Fire Services Act 1990*—

- (a) the relevant Minister is taken to have always had the power to appoint the person to act in both of the following offices (each a ***relevant office***) for the acting period—
 - (i) the office of fire commissioner;
 - (ii) the chief executive of the fire services department; and
 - (b) the person is taken to have been validly appointed, under the *Fire Services Act 1990*, to act in the office of fire commissioner for the acting period; and
 - (c) the person is taken to have been validly appointed under the repealed Act, section 94 to act as the chief executive of the fire services department for the acting period.
- (3) Anything done or omitted to be done by the person, or another entity, during the acting period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act in both of the relevant offices for that period.
- (4) Anything done or omitted to be done by an entity, relying on the validity of a decision made, or other thing done, by the person or an entity during the acting period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act in both of the relevant offices when the decision was made or other thing done.
- (5) In this section—
relevant Minister, in relation to an appointment or purported appointment,

means the Minister administering the fire services department when the appointment or purported appointment was made.

validation period means the period from 1 November 2013 to 20 May 2014, both days inclusive.

334 Particular acting fire commissioners—1 November 2013 to 30 June 2014

- (1) This section applies if—
 - (a) during the validation period, a person was appointed under the *Fire Services Act 1990* to act in the office of fire commissioner for a particular period (the ***acting period***); and
 - (b) no one was appointed, or purportedly appointed, under the repealed Act, section 94 to act as the chief executive of the fire services department for the acting period.
- (2) Subsection (3) applies if the person was appointed under the *Fire Services Act 1990* to act in the office of fire commissioner before 21 May 2014.
- (3) It is declared that, despite the *Fire Services Act 1990*, the person is taken to have been validly appointed under the repealed Act, section 94 to act as the chief executive of the fire services department for the acting period.
- (4) Subsection (5) applies if the person was appointed under the *Fire Services Act 1990* to act in the office of fire commissioner on or after 21 May 2014.
- (5) It is declared that the person is taken to have been validly appointed under the repealed

Act, section 94 to act as the chief executive of the fire services department for the acting period.

- (6) Anything done or omitted to be done by the person, or another entity, during the acting period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act as the chief executive of the fire services department under the repealed Act, section 94 for that period.
- (7) Anything done or omitted to be done by an entity, relying on the validity of a decision made, or other thing done, by the person or an entity during the acting period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act as the chief executive of the fire services department under the repealed Act, section 94 when the decision was made or other thing done.
- (8) In this section—
validation period means the period from 1 November 2013 to 30 June 2014, both days inclusive.

Division 3 Provisions relating to Police Service Administration Act 1990

335 Particular commissioners under Police Service Administration Act 1990

- (1) This section applies in relation to a person who, during the validation period—

- (a) was appointed as commissioner of the police service under the *Police Service Administration Act 1990*, section 4.2; and
 - (b) was not declared to be the chief executive of the Queensland Police Service under the repealed Act, section 95.
- (2) It is declared that the person is taken to have been validly declared under the repealed Act, section 95 to be the chief executive of the Queensland Police Service for the person's appointment period.
- (3) Anything done or omitted to be done by the person, or another entity, during the person's appointment period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly declared to be the chief executive of the Queensland Police Service under the repealed Act, section 95 for that period.
- (4) Anything done or omitted to be done by an entity, relying on the validity of a decision made, or other thing done, by the person or an entity during the person's appointment period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly declared to be the chief executive of the Queensland Police Service under the repealed Act, section 95 when the decision was made or other thing done.
- (5) In this section—
appointment period, in relation to a person, means the period, during the validation period, the person held office as the commissioner of the police service under the

Police Service Administration Act 1990.

validation period means the period from 1 November 2012 to 28 February 2023, both days inclusive.

336 Particular acting commissioners under Police Service Administration Act 1990

- (1) This section applies if—
 - (a) during the validation period, a person was appointed to act as commissioner of the police service under the *Police Service Administration Act 1990*, section 4.11 for a particular period (the ***acting period***); and
 - (b) no one was appointed, under the repealed Act, section 94 to act as the chief executive of the Queensland Police Service for the acting period.
- (2) It is declared that the person is taken to have been validly appointed under the repealed Act, section 94 to act as the chief executive of the Queensland Police Service for the acting period.
- (3) Anything done or omitted to be done by the person, or another entity, during the acting period is taken to be, and to have always been, as valid and lawful as it would be or would have been had the person been validly appointed to act as the chief executive of the Queensland Police Service under the repealed Act, section 94 for that period.
- (4) Anything done or omitted to be done by an entity, relying on the validity of a decision made, or other thing done, by the person or an entity during the acting period, is taken to be, and to have always been, as valid and lawful as it would be or would have been had

the person been validly appointed to act as the chief executive of the Queensland Police Service under the repealed Act, section 94 when the decision was made or other thing done.

(5) In this section—

validation period means the period from 1 November 2012 to 28 February 2023, both days inclusive.

2 Long title

Long title, after ‘the *Police Powers and Responsibilities Act 2000*,’—

insert—

the *Public Sector Act 2022*,

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