
Queensland Protection Commission Bill 2026

Explanatory Notes

FOR

Amendments To Be Moved During Consideration In Detail By The Honourable Deb Frecklington MP, Attorney-General and Minister for Justice and Minister for Integrity

Title of the Bill

Queensland Protection Commission Bill 2026

Objective of the Amendments

The Queensland Protection Commission Bill 2026 (the Bill) contains amendments to the *Working with Children Check Act 2000* (WWCC Act), including to prescribe new offences under the disqualifying and serious offence framework. These amendments form part of reforms agreed to by all Attorneys-General as part of the *Standing Council of Attorneys-General Agreement to Deliver National Working with Children Check Reform*.

The Bill, as introduced, prescribes section 328A (Dangerous operation of a vehicle) of the Criminal Code as a serious offence under schedule 2 of the WWCC Act (but only if the offender causes death or grievous bodily harm to another person). This aspect of the Bill is proposed to commence on 1 February 2027.

On 21 September 2026, the *Criminal Code (Dangerous Driving) and Other Legislation Amendment Act 2026* (Dangerous Driving Act) received royal assent. The Dangerous Driving Act reforms the offences in the Criminal Code relating to dangerously operating or interfering with the operation of a vehicle. In particular, the Dangerous Driving Act omits existing section 328A and inserts new sections 334I (Driving motor vehicles dangerously) and 334K (Operating non-motor vehicles dangerously) in its place. The Dangerous Driving Act commences on 1 March 2027.

The objective of the amendments to be moved during consideration in detail of the Bill are to ensure the changes to the serious offence framework in the WWCC Act appropriately captures offences related to the dangerous operation of a vehicle.

Achievement of the Objective

The amendments to the Bill will replace the reference to section 328A of the Criminal Code in Schedule 2 of the WWCC Act with references to new sections 334I and 334K of the Criminal Code.

In addition, section 328A of the Criminal Code will be added to Schedule 3 of the WWCC Act and amended to ensure offending which involves operating a vehicle dangerously and which results in the death of or grievous bodily harm to another person which is charged and convicted under section 328A prior to its repeal is treated as a serious offence under the blue card system.

These amendments will commence to align with the commencement date of the Dangerous Driving Act.

Alternative Ways of Achieving Policy Objectives

There are no alternative ways of achieving the policy objectives other than by legislative amendment.

Estimated Cost for Government Implementation

There are no costs associated with implementing the amendments.

Consistency with Fundamental Legislative Principles

Consistency with fundamental legislative principles is dealt with in the Explanatory Notes.

Consultation

Given the highly technical nature of the amendments, no consultation was necessary.

NOTES ON PROVISIONS

Amendment 1 amends clause 2(1)(g) of the Bill to update the reference to section ‘162(6)’ to ‘162(5A), (5B) and (6)’ at page 12 line 15 as not commencing on 1 February 2027.

Amendment 2 inserts new clause 2(1A) into the Bill at page 12 after line 18 to provide that clauses 162(5A) and (5B) and 163(1), as inserted in the Bill, commence on 1 March 2027. This aligns with the commencement date of the Dangerous Driving Act.

Amendment 3 is a consequential amendment to clause 2(2)(b) of the Bill to update the reference to section ‘163’ to ‘163(2)’ at page 12 line 22, which is required because of the insertion new clause 163(1).

Amendment 4 amends clause 162(3) of the Bill at page 107 after line 8 to clarify that an offence under section 328A is taken to be a serious offence if the offence involved operating a vehicle dangerously.

Amendment 5 inserts new clause 162(5A) and (5B) into the Bill to omit the entry for section 328A of the Criminal Code at page 108 after line 8 and replace it with entries for sections 334I and 334K of the Criminal Code.

Amendment 6 amends clause 163 of the Bill to include an entry for section 328A of the Criminal Code at page 108 after line 12 as a repealed serious offence in schedule 3 of the WWCC Act. This amendment will commence on 1 March 2027, following the omission of the section 328A entry from schedule 2 of the WWCC Act.

Amendment 7 is a consequential renumbering amendment to the Bill at page 109 line 13.