



Crimes Legislation (Consequential Amendments) Regulation 2015

Select Legislative Instrument No. 76, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 28 May 2015

Peter Cosgrove
Governor-General

By His Excellency's Command

Michael Keenan
Minister for Justice

OPC60901 - A

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1 Name

This is the *Crimes Legislation (Consequential Amendments) Regulation 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under the following Acts:

- (a) the *Australian Crime Commission Act 2002*;
- (b) the *Crimes Act 1914*;
- (c) the *Crimes Legislation Amendment (Serious and Organised Crime) Act 2010*;
- (d) the *Financial Transaction Reports Act 1988*;
- (e) the *Law Enforcement Integrity Commissioner Act 2006*;
- (f) the *Proceeds of Crime Act 2002*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Australian Crime Commission Regulations 2002

1 Part 3 of Schedule 3 (table items 301 and 302, column headed “Law”)

Omit “*Misconduct*”, substitute “*Corruption*”.

Crimes Regulations 1990

2 Regulation 4A (table item 3, column headed “Law”)

Omit “*Misconduct*”, substitute “*Corruption*”.

3 Regulation 4BAB (table item 3, column headed “Law”)

Omit “*Misconduct*”, substitute “*Corruption*”.

4 Subregulation 11(4) (cell at table item 12, column headed “Law”)

Repeal the cell, substitute:

Crime and Corruption Act 2001
(previously called the *Crime and Misconduct Act 2001*)

Financial Transaction Reports Regulations 1990

5 Regulation 11B

Repeal the regulation.

Law Enforcement Integrity Commissioner Regulations 2006

6 Paragraph 5(c)

Repeal the paragraph, substitute:

(c) for Queensland—the Crime and Corruption Commission established under section 220 of the *Crime and Corruption Act 2001* (Qld);

Proceeds of Crime Regulations 2002**7 Paragraph 5(d)**

Repeal the paragraph.

8 After paragraph 5(e)

Insert:

- (eaa) serious drug offender confiscation order under section 93ZZB of the *Criminal Proceeds Confiscation Act 2002* of Queensland;

9 After paragraph 5(j)

Insert:

- (ja) wealth forfeiture order under section 152 of the *Crime (Confiscation of Profits) Act 1993* of Tasmania;

10 Paragraph 6(d)

Repeal the paragraph.

11 After paragraph 6(e)

Insert:

- (eaa) unexplained wealth order under section 89G of the *Criminal Proceeds Confiscation Act 2002* of Queensland;

12 Paragraph 7(d)

Repeal the paragraph.

13 Paragraph 7(e)

Repeal the paragraph, substitute:

- (e) restraining order under section 31, 93M or 122 of the *Criminal Proceeds Confiscation Act 2002* of Queensland;

14 After paragraph 7(j)

Insert:

- (ja) interim wealth-restraining order under section 116 of the *Crime (Confiscation of Profits) Act 1993* of Tasmania;
- (jb) wealth-restraining order under section 118 of the *Crime (Confiscation of Profits) Act 1993* of Tasmania;

15 After subparagraph 9(a)(viii)

Insert:

(viiiia) section 270.5 (servitude offences);

16 Subparagraphs 9(a)(ix) and (x)

Repeal the subparagraphs, substitute:

(ix) section 270.6A (forced labour offences);

(ixa) section 270.7 (deceptive recruiting for labour or services);

(x) section 270.7B (forced marriage offences);

17 After subparagraph 9(a)(xi)

Insert:

(xia) section 271.3 (trafficking in persons—aggravated offence);

18 After subparagraph 9(a)(xiii)

Insert:

(xiiiia) section 271.6 (domestic trafficking in persons—aggravated offence);

19 After subparagraph 9(a)(xiv)

Insert:

(xiva) section 271.7B (offence of organ trafficking—entry into and exit from Australia);

(xivb) section 271.7C (organ trafficking—aggravated offence);

(xivc) section 271.7D (offence of domestic organ trafficking);

(xivd) section 271.7E (domestic organ trafficking—aggravated offence);

(xive) section 271.7F (harbouring a victim);

(xivf) section 271.7G (harbouring a victim—aggravated offence);

(xivg) section 271.8 (offence of debt bondage);

(xivh) section 271.9 (debt bondage—aggravated offence);

20 After subparagraph 9(a)(xvi)

Insert:

(xxvia) section 272.10 (aggravated offence—child with mental impairment or under care, supervision or authority of defendant);

21 After subparagraph 9(a)(xxvi)

Insert:

(xxvii) section 273.7 (aggravated offence—offence involving conduct on 3 or more occasions and 2 or more people);

22 After subparagraph 9(a)(xliv)

Insert:

(xlv) section 474.25B (aggravated offence—child with mental impairment or under care, supervision or authority of defendant);

23 At the end of regulation 9

Add:

- ; (c) an offence against any of the following provisions of the *Copyright Act 1968*:
- (i) subsection 132AC(1) (commercial-scale infringement prejudicing copyright owner);
 - (ii) subsection 132AD(1) (making infringing copy commercially);
 - (iii) subsection 132AE(1) (selling or hiring out infringing copy);
 - (iv) subsections 132AF(1) and (2) (offering infringing copy for sale or hire);
 - (v) subsections 132AG(1) and (2) (exhibiting infringing copy in public commercially);
 - (vi) subsection 132AH(1) (importing infringing copy commercially);
 - (vii) subsections 132AI(1) and (2) (distributing infringing copy);
 - (viii) subsection 132AJ(1) (possessing infringing copy for commerce);
 - (ix) subsections 132AL(1) and (2) (making or possessing device for making infringing copy);
 - (x) subsection 132AN(1) (causing work to be performed publicly);

Schedule 1 Amendments

- (xi) subsection 132AO(1) (causing recording or film to be heard or seen in public);
- (xii) subsection 132AQ(1) (removing or altering electronic rights management information);
- (xiii) subsection 132AR(1) (distributing, importing or communicating copies after removal or alteration of electronic rights management information);
- (xiv) subsection 132AS(1) (distributing or importing electronic rights management information).