The Parliament of the
Commonwealth of Australia

THE SENATE

Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008

(Amendment to be moved by Senator Macdonald and Senator Boswell in committee of the whole)

(1) Schedule 6, item 24, page 126 (after line 13), after Division 3, insert:

Division 3A—Convictions under former section 38CA

38CC Convictions under former section 38CA

(1) Despite any other Commonwealth law or any State law or Territory law, if a person was convicted for an offence under section 38CA of the Great Barrier Reef Marine Park Act 1975:
   (a) that occurred during the period 1 July 2004 to 14 December 2006; and
   (b) that did not attract a monetary penalty exceeding $5,000;
that conviction is for all purposes to be treated as a spent conviction under Part VIIC of the Crimes Act 1914.

(2) For the avoidance of doubt, a conviction referred to in subsection (1) is to be treated as a spent conviction whether or not the waiting period for the offence under Part VIIC of the Crimes Act 1914 has ended.

(3) Despite Division 3 of Part VIIC of the Crimes Act 1914, the exclusions provided by Division 6 of Part VIIC of the Crimes Act 1914 do not apply in relation to a conviction referred to in subsection (1).

[convictions for green zone infringements]