



New South Wales

# **Police Service (Savings and Transitional) Regulation 1997**

under the

Police Service Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Police Service Act 1990*.

PAUL WHELAN, M.P.,

Minister for Police

## **Explanatory note**

The object of this Regulation is to provide that section 206 of the *Police Service Act 1990*, as in force immediately before the commencement of Schedule 1 [61] to the *Police Legislation Further Amendment Act 1996*, continues to have effect until 1 August 1998. The effect of continuing section 206 (as then in force) will be to prohibit the disclosure of information concerning the functions of the former Police Board except in certain specified circumstances.

This Regulation is made under the *Police Service Act 1990*, including section 219 (the general regulation making power) and clause 2 of Schedule 4.

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## Police Service (Savings and Transitional) Regulation 1997

### 1 Name of Regulation

This Regulation is the *Police Service (Savings and Transitional) Regulation 1997*.

### 2 Definitions

In this Regulation:

*the 1996 amending Act* means the *Police Legislation Further Amendment Act 1996*.

*the Principal Act* means the *Police Service Act 1990*.

### 3 Notes

The explanatory note, and notes in the text of this Regulation, do not form part of this Regulation.

### 4 Continued operation of former section 206

Section 206 of the Principal Act, as in force immediately before the commencement of Schedule 1 [61] to the 1996 amending Act, continues to have effect with respect to any relevant information (within the meaning of that section) obtained in connection with the administration or execution of the Principal Act (or any other Act conferring or imposing functions of the Police Board) as if the 1996 amending Act had not been enacted.

**Note.** Section 206 (as then in force) provided that a person who discloses any relevant information obtained in connection with the administration or execution of the Principal Act (or any other Act conferring or imposing functions of the Police Board) is guilty of an offence unless the disclosure is made:

- (a) with the consent of the person from whom the information was obtained, or
- (b) in connection with the administration or execution of the Principal Act (or any such other Act), or
- (c) for the purposes of any legal proceedings arising out of the Principal Act (or any such other Act) or of any report of any such proceedings, or

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- (d)    in accordance with a requirement imposed under the Ombudsman Act 1974, or
- (e)    with other lawful excuse.

In that section, **relevant information** means information relating to the exercise of the functions of the Police Board.

The maximum penalty for such an offence is 10 penalty units or imprisonment for 6 months, or both.

## 5 Expiry of Regulation

This Regulation expires on 1 August 1998.