

MISCELLANEOUS ACTS (STATE DRUG CRIME COMMISSION)
AMENDMENT ACT 1985 No. 118

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

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Act No. 118, 1985

An Act to amend certain Acts as a consequence of the enactment of the State Drug Crime Commission Act 1985. [Assented to, 1st November, 1985.]

Miscellaneous Acts (State Drug Crime Commission) Amendment 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Miscellaneous Acts (State Drug Crime Commission) Amendment Act 1985".

Commencement

2. (1) Except as provided by subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 4 (4) and (5), section 5 and Schedules 4 and 5 shall commence on—

(a) the commencement of the State Drug Crime Commission Act 1985; or

(b) the commencement of the Search Warrants Act 1985,

whichever is the later.

Schedules

3. This Act contains the following Schedules:

SCHEDULE 1—AMENDMENT TO THE OMBUDSMAN ACT 1974.

SCHEDULE 2—AMENDMENT TO THE STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975

SCHEDULE 3—AMENDMENT TO THE POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) ACT 1978

SCHEDULE 4—AMENDMENT TO THE SEARCH WARRANTS ACT 1985

SCHEDULE 5—AMENDMENTS TO THE STATE DRUG CRIME COMMISSION ACT 1985

147

Miscellaneous Acts (State Drug Crime Commission) Amendment 1985

Amendments

4. (1) The Ombudsman Act 1974 is amended in the manner set forth in Schedule 1.

(2) The Statutory and Other Offices Remuneration Act 1975 is amended in the manner set forth in Schedule 2.

(3) The Police Regulation (Allegations of Misconduct) Act 1978 is amended in the manner set forth in Schedule 3.

(4) The Search Warrants Act 1985 is amended in the manner set forth in Schedule 4.

(5) The State Drug Crime Commission Act 1985 is amended in the manner set forth in Schedule 5.

Saving provision

5. (1) A search warrant issued before the commencement of this section under section 11 of the State Drug Crime Commission Act 1985 may be executed as if this Act had not been enacted.

(2) The Search Warrants Act 1985 does not apply to a search warrant referred to in subsection (1).

(3) Unless it sooner ceases to have effect, a search warrant referred to in subsection (1) ceases to have effect on the expiration of the period of one month after the commencement of this section.

SCHEDULE 1

(Sec. 4 (1))

AMENDMENT TO THE OMBUDSMAN ACT 1974

Schedule 1—

At the end of the Schedule, insert:

19. Conduct of a public authority where acting as a member of the State Drug Crime Commission, or the State Drug Crime Commission Management Committee, under the State Drug Crime Commission Act 1985.

Miscellaneous Acts (State Drug Crime Commission) Amendment 1985

SCHEDULE 2

(Sec. 4 (2))

AMENDMENT TO THE STATUTORY AND OTHER OFFICES
REMUNERATION ACT 1975

Schedule 1—

At the end of the Schedule, insert:

Chairperson of the State Drug Crime Commission.

Full-time member of the State Drug Crime Commission, other than the
Chairperson.

SCHEDULE 3

(Sec. 4 (3))

AMENDMENT TO THE POLICE REGULATION (ALLEGATIONS OF
MISCONDUCT) ACT 1978

Section 5 (5)—

After section 5 (4), insert:

(5) Subsection (3) (a) does not apply to a complaint that—

(a) is being considered by the State Drug Crime Commission Management
Committee for referral to the State Drug Crime Commission for
investigation; or(b) is being, or has been, investigated by the State Drug Crime
Commission.

SCHEDULE 4

(Sec. 4 (4))

AMENDMENT TO THE SEARCH WARRANTS ACT 1985

Section 10, definition of "search warrant"—

In the appropriate alphabetical order, insert:

section 11 of the State Drug Crime Commission Act 1985;

Miscellaneous Acts (State Drug Crime Commission) Amendment 1985

SCHEDULE 5

(Sec. 4 (5))

AMENDMENTS TO THE STATE DRUG CRIME COMMISSION ACT 1985

(1) Section 11 (4)—

Omit the subsection, insert instead:

(4) Part III of the Search Warrants Act 1985 applies to a search warrant issued under this section.

(2) Schedule 4—

Omit the Schedule.
