

**NATIONAL CRIME AUTHORITY (STATE PROVISIONS)  
AMENDMENT ACT 1988 No. 68**

NEW SOUTH WALES



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**NATIONAL CRIME AUTHORITY (STATE PROVISIONS)  
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NEW SOUTH WALES



**Act No. 68, 1988**

An Act to amend the National Crime Authority (State Provisions) Act 1984 as a consequence of amendments to the National Crime Authority Act 1984 of the Commonwealth. [Assented to 21 November 1988]

*National Crime Authority (State Provisions) Amendment 1988*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the National Crime Authority (State Provisions) Amendment Act 1988.

**Commencement**

2. This Act commences on the date of assent.

**Amendment of National Crime Authority (State Provisions) Act 1984 No. 157**

3. The National Crime Authority (State Provisions) Act 1984 is amended as set out in Schedule 1.

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**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

**(1) Section 9 (Co-operation with law enforcement agencies and co-ordination with overseas authorities)—**

At the end of section 9, insert:

(2) In performing its special functions, the Authority may co-ordinate its activities with the activities of authorities and persons in other countries performing functions similar to the functions of the Authority.

**(2) Section 16 (Hearings)—**

Section 16 (7)—

Omit “, counsel assisting the Authority in relation to the matter that is the subject of the hearing”.

**(3) Section 20 (Warrant for arrest of witness)—**

(a) Section 20 (1)—

Omit the subsection, insert instead:

(1) Where, upon application by or on behalf of the Authority, a Judge of the Federal Court sitting in chambers is satisfied by evidence on oath that there are reasonable grounds to believe—

(a) that a person who has been ordered, under section 15, to deliver the person’s passport to the Authority, whether or not the person has complied with the order, is nevertheless likely to leave Australia for the purpose of avoiding giving evidence before the Authority; or

(b) that a person in relation to whom a summons has been issued under section 17 (1)—

(i) has absconded or is likely to abscond; or

*National Crime Authority (State Provisions) Amendment 1988*

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SCHEDULE 1—AMENDMENTS—*continued*

- (ii) is otherwise attempting, or is otherwise likely to attempt, to evade service of the summons.  
the Judge may issue a warrant for the apprehension of the person.
- (b) Section 20 (2A)—  
After section 20 (2), insert:  
(2A) The warrant may be executed notwithstanding that the warrant is not at the time in the possession of the person executing it.
- (4) Section 31 (**Secrecy**)—  
Section 31 (4)—  
After the definition of “court”, insert:  
“member of the staff of the Authority” means—  
(a) a person referred to in the definition of “member of the staff of the Authority” in section 4 (1) of the Commonwealth Act; or  
(b) a person who assists, or performs services for or on behalf of, a legal practitioner appointed under section 50 of the Commonwealth Act in the performance of the legal practitioner’s duties as counsel to the Authority;
- (5) Section 33 (**Proceedings for offences**)—  
Omit “court of petty sessions constituted by a stipendiary magistrate”, insert instead “Local Court constituted by a Magistrate”.
- (6) Section 35 (**Cessation of operation of Act**)—  
Omit the section.

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[Minister’s second reading speech made in—  
*Legislative Council on 12 October 1988*  
*Legislative Assembly on 20 October 1988*]

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