



New South Wales

Director of Public Prosecutions Amendment (Disclosures) Act 2011 No 65

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Director of Public Prosecutions Amendment (Disclosures) Act 2011 No 65

Act No 65, 2011

An Act to amend the *Director of Public Prosecutions Act 1986* to make further provision for the duty of disclosure imposed on police officers investigating offences. [Assented to 25 November 2011]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Director of Public Prosecutions Amendment (Disclosures) Act 2011*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Director of Public Prosecutions Act 1986 No 207

[1] Section 15A Disclosures by investigating police officers

Insert after section 15A (5):

- (6) The duty imposed by this section does not require police officers investigating alleged indictable offences to disclose to the Director any information, documents or other things that are the subject of a bona fide claim of privilege, public interest immunity or statutory immunity. The duty of police officers in such a case is to inform the Director that they have obtained information, documents or other things of that kind.
- (7) Subsection (6) ceases to have effect on 1 January 2013.

[2] Section 36 Savings and transitional provisions

Insert at the end of section 36:

- (10) Section 15A (6), as inserted by the *Director of Public Prosecutions Amendment (Disclosures) Act 2011*, extends to proceedings for indictable offences commenced before the commencement of that subsection.
- (11) Anything done or omitted to be done before the commencement of section 15A (6) by a police officer, the Director or any other person having functions with respect to the prosecution of indictable offences, that would have been validly done or omitted if section 15A (6) had been in force at the time that it was done or omitted, is taken to have been validly done or omitted to be done.

[Second reading speech made in Legislative Council on 24 November 2011

Agreement in principle speech made in Legislative Assembly on 24 November 2011]

BY AUTHORITY