



Crimes (Forensic Procedures) Amendment (Disclosure of Information) Regulation 2003

under the

Crimes (Forensic Procedures) Act 2000

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Forensic Procedures) Act 2000*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

Section 109 of the *Crimes (Forensic Procedures) Act 2000* makes it an offence for a person who has access to information stored on the DNA database system or revealed by a forensic procedure carried out under that Act to disclose that information except in certain specified circumstances.

The object of this Regulation is to amend the *Crimes (Forensic Procedures) Regulation 2000* to prescribe as purposes for which a person may disclose such information any purpose relating to the security classification, placement or management under the *Crimes (Administration of Sentences) Act 1999* of a person who is or was a serious indictable offender serving a sentence of imprisonment in a correctional centre or other place of detention on whom a forensic procedure has been carried out under Part 7 of the *Crimes (Forensic Procedures) Act 2000*.

This Regulation is made under the *Crimes (Forensic Procedures) Act 2000*, including sections 109 (2) (g) and (3) (o) and 118 (the general regulation-making power).

2003 No 163

Clause 1 Crimes (Forensic Procedures) Amendment (Disclosure of Information)
Regulation 2003

Crimes (Forensic Procedures) Amendment (Disclosure of Information) Regulation 2003

under the

Crimes (Forensic Procedures) Act 2000

1 Name of Regulation

This Regulation is the *Crimes (Forensic Procedures) Amendment (Disclosure of Information) Regulation 2003*.

2 Amendment of Crimes (Forensic Procedures) Regulation 2000

The *Crimes (Forensic Procedures) Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clause 11 Disclosure of information

Omit “This clause” from clause 11 (2).

Insert instead “Subclause (1)”.

[2] Clause 11 (2)

Omit “this clause”.

Insert instead “subclause (1)”.

[3] Clause 11 (3)–(7)

Insert after clause 11 (2):

- (3) For the purposes of section 109 (2) (g) of the Act, any purpose relating to the security classification, placement or management by or under the *Crimes (Administration of Sentences) Act 1999* of a classifiable person is a prescribed purpose for which a person may disclose information that relates to the classifiable person that is stored on the DNA database system.
- (4) Subclause (3) applies whether the information concerned was stored on the DNA database system before, or is so stored after, the commencement of subclause (3).
- (5) For the purposes of section 109 (3) (o) of the Act, any purpose relating to the security classification, placement or management by or under the *Crimes (Administration of Sentences) Act 1999* of a classifiable person is a prescribed purpose for which a person may disclose information relating to the classifiable person revealed by the forensic procedure that was carried out on the classifiable person.
- (6) Subclause (5) applies whether or not the information concerned is revealed by a forensic procedure that was carried out before or is carried out after the commencement of subclause (5).
- (7) In this clause, *classifiable person* means a person who is or was a serious indictable offender on whom a forensic procedure has been carried out under Part 7 of the *Crimes (Forensic Procedures) Act 2000*.