



New South Wales

Law Enforcement (Powers and Responsibilities) Amendment Regulation 2008

under the

Law Enforcement (Powers and Responsibilities) Act 2002

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Law Enforcement (Powers and Responsibilities) Act 2002*.

JOHN HATZISTERGOS, M.L.C.,
Attorney General

Explanatory note

Currently, clause 26 (a) (iv) of the *Law Enforcement (Powers and Responsibilities) Regulation 2005* provides that a child who is 16 years of age or over may consent to an adult (other than a police officer) to be the support person for the child for the purposes of police interviewing and questioning.

The object of this Regulation is to amend the *Law Enforcement (Powers and Responsibilities) Regulation 2005* to decrease the age at which a child may give such consent from 16 years to 14 years.

The amendment is consistent with similar amendments made to the *Children (Criminal Proceedings) Act 1987* by the *Children (Criminal Proceedings) Amendment Act 2008* and to the *Young Offenders Act 1997* by the *Courts and Other Legislation Amendment Act 2007*.

This Regulation is made under the *Law Enforcement (Powers and Responsibilities) Act 2002*, including sections 112 and 238 (the general regulation-making power).

2008 No 600

Clause 1 Law Enforcement (Powers and Responsibilities) Amendment Regulation
2008

**Law Enforcement (Powers and Responsibilities)
Amendment Regulation 2008**

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Law Enforcement (Powers and Responsibilities) Act 2002

1 Name of Regulation

This Regulation is the *Law Enforcement (Powers and Responsibilities) Amendment Regulation 2008*.

2 Amendment of Law Enforcement (Powers and Responsibilities) Regulation 2005

The *Law Enforcement (Powers and Responsibilities) Regulation 2005* is amended by omitting “16 years” from clause 26 (a) (iv) and inserting instead “14 years”.

BY AUTHORITY