



New South Wales

Road Transport (Driver Licensing) Amendment (Release of Photographs to Crime Commission) Regulation 2009

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

MICHAEL DALEY, MP
Minister for Roads

Explanatory note

The object of this Regulation is to extend the power of the RTA to release driver licence photographs, and photographic images or matters contained in a database of those photographs, to the New South Wales Crime Commission for the purpose of the investigation and prosecution of certain serious offences, as well as for the counter-terrorism purposes for which photographs can currently be released.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including section 19 (the general regulation-making power) and section 41 (1) (g) (which empowers the making of regulations prescribing a purpose for which photographs may be released).

2009 No 452

Clause 1 Road Transport (Driver Licensing) Amendment (Release of Photographs to Crime Commission) Regulation 2009

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1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Release of Photographs to Crime Commission) Regulation 2009*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Road Transport (Driver Licensing) Regulation 2008

Clause 107 Release of driver licence photographs to Crime Commission and ASIO

Omit clause 107 (1) (a). Insert instead:

- (a) to the New South Wales Crime Commission:
 - (i) for the purposes of the investigation or prosecution of a relevant criminal activity, or a relevant offence, within the meaning of the *New South Wales Crime Commission Act 1985*, or
 - (ii) for the purposes of the investigation of a terrorist act or a threat of a terrorist act, or