



# Police Amendment (Legal Advice Disclosure) Regulation 2012

under the

Police Act 1990

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Police Act 1990*.

MICHAEL GALLACHER, MLC  
Minister for Police and Emergency Services

## Explanatory note

The object of this Regulation is to amend the *Police Regulation 2008* to provide that the Commissioner of Police is not under a duty to make available to an applicant in proceedings for a review of certain action taken by the Commissioner under Part 9 of the *Police Act 1990* any document provided to the Commissioner concerning that action if the document would be privileged from production in legal proceedings on the ground of client legal privilege (legal professional privilege).

This Regulation is made under the *Police Act 1990*, including sections 174 (5), 181E (3) and 219 (the general regulation-making power).

## 2012 No 504

Clause 1            Police Amendment (Legal Advice Disclosure) Regulation 2012

---

### **Police Amendment (Legal Advice Disclosure) Regulation 2012**

under the

Police Act 1990

#### **1 Name of Regulation**

This Regulation is the *Police Amendment (Legal Advice Disclosure) Regulation 2012*.

#### **2 Commencement**

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

#### **3 Amendment of Police Regulation 2008**

##### **Clause 53A**

Insert after clause 53:

##### **53A Disclosure of documents concerning action under Part 9 of Act subject to client legal privilege (legal professional privilege)**

For the purposes of sections 174 (5) and 181E (3) of the Act, the Commissioner is not under a duty to make available to an applicant in review proceedings any document provided to the Commissioner in connection with the taking of action against the applicant under Part 9 of the Act if the document would be privileged from production in legal proceedings on the ground of client legal privilege (legal professional privilege).