



New South Wales

# Crimes (Domestic and Personal Violence) Regulation 2014

under the

Crimes (Domestic and Personal Violence) Act 2007

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Domestic and Personal Violence) Act 2007*.

BRAD HAZZARD, MP  
Attorney General

## Explanatory note

The object of this Regulation is to prescribe the record keeping requirements that must be complied with when a person is detained for the purposes of making and serving an interim apprehended personal violence order or interim apprehended domestic violence order or where a person is detained for the purposes of serving on the person an apprehended violence order or a variation of such an order.

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

This Regulation is made under the *Crimes (Domestic and Personal Violence) Act 2007*, including sections 90D and 101 (the general regulation-making power).

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### 1 Name of Regulation

This Regulation is the *Crimes (Domestic and Personal Violence) Regulation 2014*.

### 2 Commencement

This Regulation commences on 20 May 2014 and is required to be published on the NSW legislation website.

### 3 Definition

(1) In this Regulation:

*the Act* means the *Crimes (Domestic and Personal Violence) Act 2007*.

(2) Notes included in this Regulation do not form part of this Regulation.

### 4 Records required to be kept

If a person is detained under Part 11 of the Act, the police officer detaining the person, or a police officer accompanying that police officer, must make a document recording the following information in accordance with section 90D of the Act:

- (a) the name and date of birth of the person being detained,
- (b) the name and rank of the police officer detaining the person and any accompanying police officer making the record,
- (c) the grounds on which the person is detained,
- (d) where the person is detained,
- (e) the following times in relation to the detention:
  - (i) the date and time the detention commences,
  - (ii) any time taken to transfer the detained person,
  - (iii) the date and time the detention ends,
- (f) a description of any personal property of the detained person of which the police officer has taken possession as a result of any search of the detained person.