



New South Wales

Law Enforcement (Powers and Responsibilities) Amendment (Police Reorganisation) Regulation 2017

under the

Law Enforcement (Powers and Responsibilities) Act 2002

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

MARK SPEAKMAN, MP
Attorney General

Explanatory note

The object of this Regulation is to make consequential amendments on the reorganisation of the NSW Police Force as a result of the *Police Amendment (Command Reorganisation) Regulation 2017*.

The Regulation also makes an amendment to enable an arresting or investigating officer to act as the custody manager for a detained person if:

- (a) no other police officer is available to act as the custody manager for the person, and
- (b) a police officer holding the position of District Inspector or Officer in Charge of a Police Sector has given written permission to the arresting or investigating officer to act as custody manager for the person.

This Regulation is made under the *Law Enforcement (Powers and Responsibilities) Act 2002*, including sections 92 (3), 132 (b) and 238 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Law Enforcement (Powers and Responsibilities) Amendment (Police Reorganisation) Regulation 2017*.

2 Commencement

This Regulation commences on 3 December 2017 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Law Enforcement (Powers and Responsibilities) Regulation 2016

[1] Clause 18 Order of preference in relation to custody managers

Omit clause 18 (3) (b). Insert instead:

- (b) a police officer holding one of the following positions has given written permission to the arresting or investigating officer to act as the custody manager for the person:
 - (i) duty officer at a designated police station,
 - (ii) District Inspector,
 - (iii) Officer in Charge of a Police Sector.

[2] Clause 48 Exercise of powers at crime scenes—prescribed rural areas

Omit “the following Local Area Commands”.

Insert instead “the following Local Areas (as referred to in the *Police Regulation 2015* and in force immediately before 3 December 2017)”.

[3] Clause 48

Omit “LAC” wherever occurring. Insert instead “Local Area”.