



New South Wales

# Law Enforcement (Powers and Responsibilities) Amendment (Custody Notification Service) Regulation 2019

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*.

MARK SPEAKMAN, MP  
Attorney General, and Minister for the Prevention of Domestic Violence

## Explanatory note

The object of this Regulation is to expand the circumstances in which legal and other assistance is provided to Aboriginal persons or Torres Strait Islanders to include where a person is detained under Part 16 (Powers relating to detention of intoxicated persons) of the *Law Enforcement (Powers and Responsibilities) Act 2002*.

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

## **Law Enforcement (Powers and Responsibilities) Amendment (Custody Notification Service) Regulation 2019**

under the

Law Enforcement (Powers and Responsibilities) Act 2002

### **1 Name of Regulation**

This Regulation is the *Law Enforcement (Powers and Responsibilities) Amendment (Custody Notification Service) Regulation 2019*.

### **2 Commencement**

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

### **3 Amendment of Law Enforcement (Powers and Responsibilities) Regulation 2016**

#### **Clause 37 Legal and other assistance for Aboriginal persons or Torres Strait Islanders**

Insert at the end of the clause—

- (2) If an Aboriginal person or Torres Strait Islander (the *detainee*) is detained under Part 16 of the Act in an authorised place of detention, the custody manager or other relevant detention officer must—
  - (a) immediately inform the detainee that a representative of the Aboriginal Legal Service (NSW/ACT) Limited will be notified—
    - (i) that the detainee is being detained under Part 16 of the Act, and
    - (ii) of the place at which the detainee is being detained, and
  - (b) notify such a representative accordingly.