



New South Wales

Law Enforcement (Powers and Responsibilities) Amendment (Sniffer Dogs—Repeal of Powers) Bill 2016

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Law Enforcement (Powers and Responsibilities) Act 2002* to repeal provisions relating to the use of sniffer dogs in carrying out drug detection and to make consequential amendments to other legislation.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendments

Schedule 1.1 repeals provisions of the *Law Enforcement (Powers and Responsibilities) Act 2002* relating to the power of police officers to use sniffer dogs to carry out general drug detection and to search a person for the purpose of detecting a drug offence.

Schedule 1.2 and 1.3 make consequential amendments to the *Law Enforcement (Powers and Responsibilities) Regulation 2005* and the *Tattoo Parlours Act 2012*.



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No. , 2016

A Bill for

An Act to amend the *Law Enforcement (Powers and Responsibilities) Act 2002* to repeal provisions relating to the use of sniffer dogs in carrying out drug detection and to make consequential amendments to other legislation.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Law Enforcement (Powers and Responsibilities) Amendment (Sniffer Dogs—Repeal of Powers) Act 2016</i> .	3
	4
2 Commencement	5
This Act commences on the date of assent to this Act.	6

Schedule 1	Amendments	1
1.1	Law Enforcement (Powers and Responsibilities) Act 2002 No 103	2
[1]	Section 59 Application of Division	3
	Omit “and Division 2 of Part 11” from section 59 (3).	4
[2]	Section 73 Expiry of warrant	5
	Omit section 73 (4) (a).	6
[3]	Section 73A Extension of warrant	7
	Omit section 73A (1) (a).	8
[4]	Part 11, Division 2 Use of drug detection dogs	9
	Omit the Division.	10
1.2	Law Enforcement (Powers and Responsibilities) Regulation 2005	11
[1]	Clause 4 Form of application for warrant or notice to produce	12
	Omit clause 4 (1) (e).	13
[2]	Clause 5 Determination of application for warrant or notice to produce—record by eligible issuing officer	14
	Omit clause 5 (e).	15
[3]	Clause 6 Form of warrant or notice to produce	17
	Omit clause 6 (1) (f).	18
[4]	Clause 10 Keeping and inspection of records	19
	Omit clause 10 (2) (f) and (6) (c).	20
[5]	Clause 10 (6) (a)	21
	Omit “or (c)”.	22
[6]	Schedule 1 Forms	23
	Omit Forms 5 and 14.	24

1.3 Tattoo Parlours Act 2012 No 32	1
[1] Section 31 Police powers of entry with dog	2
Omit section 31 (a).	3
[2] Section 31 (b)	4
Omit “that Act”.	5
Insert instead “the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> ”.	6