

# Crimes (Administration of Sentences) Amendment Act 2016 No 47

[2016-47]



New South Wales

## Status Information

### Currency of version

Repealed version for 29 August 2017 to 2 October 2017 (accessed 2 July 2024 at 9:16)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

This Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 3.10.2017.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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# Crimes (Administration of Sentences) Amendment Act 2016 No 47



New South Wales

An Act to amend the *Crimes (Administration of Sentences) Act 1999*, the *Summary Offences Act 1988* and the regulations under those Acts in relation to Visiting Magistrates, the powers of correctional officers in places of detention and the disclosure and sharing of information; and for other purposes.

## 1 Name of Act

This Act is the *Crimes (Administration of Sentences) Amendment Act 2016*.

## 2 Commencement

This Act commences on a day or days to be appointed by proclamation.

## Schedule 1 Amendment of *Crimes (Administration of Sentences) Act 1999 No 93*

### [1]-[16] (Repealed)

### [17] Section 257A

Omit the section. Insert instead:

#### **257A Authority to disclose and exchange certain information**

- (1) The Commissioner may disclose information obtained by the Commissioner in connection with the exercise of his or her official functions under this or any other Act for any purpose prescribed by the regulations for the purposes of this subsection.
- (2) The Commissioner may enter into an arrangement (an **information sharing arrangement**) with the head of a relevant agency for the purpose of sharing or exchanging information that is held by Corrective Services NSW or the relevant agency.
- (3) Under an information sharing arrangement, each party to the arrangement is

authorised:

- (a) to request and receive prescribed information that is held by the other party to the arrangement, and
- (b) to disclose prescribed information that is held by the party to the other party to the arrangement.

(4) In this section:

**prescribed information** means information of a kind prescribed by the regulations for the purposes of subsection (3) (a) or (b).

**relevant agency** means:

- (a) a law enforcement agency, or
- (b) a government agency of a State or Territory that corresponds with Corrective Services NSW, or
- (c) a person or body,

that is prescribed by the regulations as a relevant agency.

- (5) A regulation made under this section extends to information obtained before the commencement of the regulation unless the regulation otherwise provides.
- (6) The power to prescribe a purpose for the purposes of subsection (1) does not imply that the Commissioner may disclose information only for a purpose so prescribed.
- (7) The authority to disclose, request or receive information under this section applies despite the *Privacy and Personal Information Protection Act 1998* and the *Health Records and Information Privacy Act 2002*.
- (8) The Minister is to consult with the Minister for Health before recommending the making of a regulation under subsection (1) that may result in the disclosure or use of health information (within the meaning of the *Health Records and Information Privacy Act 2002*).
- (9) A failure to comply with subsection (8) does not affect the validity of a regulation.

**[18] (Repealed)**

**Schedule 2 (Repealed)**