

Terrorism (Police Powers) Amendment Act 2015 No 45

[2015-45]



New South Wales

Status Information

Currency of version

Repealed version for 5 November 2015 to 5 November 2015 (accessed 12 July 2024 at 5:19)

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**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 6.11.2015.

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](#).

File last modified 6 November 2015

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Terrorism (Police Powers) Amendment Act 2015 No 45



New South Wales

An Act to amend the *Terrorism (Police Powers) Act 2002* and the *Terrorism (Police Powers) Regulation 2011* in relation to the schemes for preventative detention orders and covert search warrants.

1 Name of Act

This Act is the *Terrorism (Police Powers) Amendment Act 2015*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of *Terrorism (Police Powers) Act 2002* No 115

[1] Section 26ZS Sunset provision

Omit “10 years after the day on which this Part commences” from section 26ZS (1).

Insert instead “16 December 2018”.

[2] Section 26ZS (2)

Omit “the end of 10 years after the day on which this Part commences”.

Insert instead “16 December 2018”.

[3] Section 27A Definitions

Omit the definitions of **Crime Commissioner** and **eligible staff member of the Crime Commission** from section 27A (1).

[4] Section 27D Who may be authorised to apply for a covert search warrant

Omit section 27D (2).

[5] Section 27F Delegation of Crime Commissioner’s power to give authorisation

Omit the section.

[6] Sections 27G and 27I (1)

Omit “, or an eligible staff member of the Crime Commission,” wherever occurring.

[7] Section 27G Power to apply for covert search warrant

Omit “or staff member”.

[8] Section 27O Powers conferred by covert search warrant

Omit section 27O (2). Insert instead:

- (2) A reference in this section to an eligible person, in relation to a warrant, is a reference to an eligible police officer if the applicant for the warrant was an eligible police officer.

[9] Section 27S Report to eligible Judge on execution of warrant

Omit “, staff member of the New South Wales Crime Commission” wherever occurring in section 27S (1) (c) (iii) and (3) (d).

[10] Section 27S (5)

Omit “or the Crime Commissioner”.

[11] Section 27U Notice to occupiers of execution of covert search warrant

Omit “, staff members of the New South Wales Crime Commission” from section 27U (2) (f).

[12] Section 27U (11)

Omit “or another eligible staff member of the Crime Commission (if the person was such a staff member)”.

[13] Section 27U (11) (b)

Omit “or eligible staff member of the Crime Commission (as the case may be)”.

[14] Section 27ZA Publication of documents

Omit “the New South Wales Crime Commission,” from section 27ZA (2) (b).

[15] Section 27ZB Annual report to be given to Attorney General and Police Minister

Omit section 27ZB (1). Insert instead:

- (1) The Commissioner of Police must report annually on the exercise of powers under this Part by eligible police officers.

[16] Section 27ZB (3) (h)

Omit “or eligible staff members of the Crime Commission”.

[17] Section 27ZB (3) (k)

Omit “or an eligible staff member of the Crime Commission”.

[18] Section 27ZB (4) and (5)

Omit the subsections. Insert instead:

- (4) The report may be combined with any other annual report of the NSW Police Force.
- (5) The report is to be tabled in each House of Parliament as soon as practicable after it is received by the Attorney General.

[19] Section 27ZC Monitoring by Ombudsman

Omit “, the Crime Commissioner and members of staff of the New South Wales Crime Commission” from section 27ZC (1).

[20] Section 27ZC (2)

Omit “, the Crime Commissioner”.

[21] Section 29A Ministerial arrangements for things seized in connection with extra-territorial offences

Omit “or (if the things have been seized by a member of staff of the New South Wales Crime Commission) the Commissioner for the New South Wales Crime Commission” from section 29A (a) (ii).

[22] Section 36 Review of Act

Omit section 36 (1A). Insert instead:

- (1A) For the purpose of the review, the Minister may require the Commissioner of Police to provide information about the exercise of functions in respect of covert search warrants under this Act by members of the NSW Police Force.

[23] Schedule 2 Savings and transitional provisions

Insert at the end of clause 1 (1):

any other Act that amends this Act

Schedule 2 Amendment of [Terrorism \(Police Powers\) Regulation 2011](#)

Clause 4 Delegation of powers to give authorisation

Omit clause 4 (2).