

Crimes Legislation Further Amendment Act 2003 No 85

[2003-85]



New South Wales

Status Information

Currency of version

Repealed version for 1 July 2005 to 19 June 2006 (accessed 26 December 2024 at 12:57)

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The Act was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act 2006 No 58](#) with effect from 20.6.2006.

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 Legislation Further Amendment Act 2003 No 85



New South Wales

An Act to amend certain Acts with respect to criminal offences and proceedings for criminal offences; and for other purposes.

1 Name of Act

This Act is the *Crimes Legislation Further Amendment Act 2003*.

2 Commencement

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

3 Amendment of Acts

The Acts specified in Schedules 1–7 are amended as set out in those Schedules.

Schedules 1–5 (Repealed)

Schedule 6 Amendment of **Law Enforcement (Powers and Responsibilities) Act 2002 No 103**

(Section 3)

[1] Section 73 Expiry of warrant

Omit section 73 (1). Insert instead:

- (1) Unless it is sooner withdrawn or extended:
 - (a) a search warrant (other than a telephone search warrant) ceases to have effect:
 - (i) when it has been executed, or
 - (ii) at the time specified in it for its expiry,whichever first occurs, and
 - (b) a telephone search warrant ceases to have effect:

- (i) when it has been executed, or
- (ii) at the expiry of 24 hours after the time of its issue,
whichever first occurs, and
- (c) a crime scene warrant (other than a telephone crime scene warrant) ceases to have effect at the time specified in it for its expiry, and
- (d) a telephone crime scene warrant ceases to have effect at the expiry of 24 hours after the time of its issue.

[2] Section 73 (4)

Insert “(other than a telephone warrant)” after “A warrant”.

[3] Section 73 (5A), (5B) and (5C)

Insert after section 73 (5):

- (5A) A telephone crime scene warrant may be extended, for up to 60 hours at a time, by the authorised officer who issued the warrant.
- (5B) The time for expiry of a telephone crime scene warrant may be extended twice.
- (5C) A telephone search warrant may not be extended.

[4] Section 73 (6) (b)

Omit “on the application of”.

Insert instead “on the written application of, and made in person by,”.

[5] Section 201 Supplying police officer’s details and giving warnings

Omit “, before or at the time of exercising a power referred to in subsection (3) (other than subsection (3) (g), (i) or (j)), or as soon as is reasonably practicable after exercising the power,” from section 201 (1).

[6] Section 201 (2) and (2A)

Omit section 201 (2). Insert instead:

- (2) A police officer must comply with subsection (1) in relation to a power referred to in subsection (3) (other than subsection (3) (g), (i) or (j)):
 - (a) if it is practicable to do so, before or at the time of exercising the power, or
 - (b) if it is not practicable to do so, as soon as is reasonably practicable after

exercising the power.

(2A) A police officer must comply with subsection (1) in relation to a power referred to in subsection (3) (g), (i) or (j) before exercising the power.

[7]-[9] (Repealed)

Schedule 7 (Repealed)