

Queensland



**WEAPONS AND ANOTHER
ACT AMENDMENT BILL 2002**

Queensland



WEAPONS AND ANOTHER ACT AMENDMENT BILL 2002

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2002

A BILL

FOR

An Act to amend the Weapons Act 1990 and for other purposes

The Parliament of Queensland enacts— 1

PART 1—PRELIMINARY 2

1 Short title 3

This Act may be cited as the *Weapons and Another Act Amendment Act 2002*. 4
5

PART 2—AMENDMENT OF WEAPONS ACT 1990 6

2 Act amended in pt 2 7

This part amends the *Weapons Act 1990*. 8

3 Amendment of s 5 (Definitions) 9

(1) Section 5, ‘In this Act—’— 10

omit, insert— 11

‘The dictionary in schedule 2 defines particular words used in this Act.’. 12

(2) Section 5, definitions— 13

relocate to schedule 2, as inserted by this Act. 14

4 Amendment of s 10 (Limitations on issue of licence) 15

(1) Section 10(2)(b), after ‘has’— 16

insert— 17

‘, under section 10A,’. 18

(2) Section 10(4) to (6)— 19

omit. 20

(3) Section 10(7) to (9)—	1
<i>renumber</i> as section 10(4) to (6).	2
5 Insertion of new ss 10A–10B	3
After section 10—	4
<i>insert</i> —	5
‘10A Adequate knowledge of weapon	6
‘(1) For section 10(2)(b), a person has an adequate knowledge of safety practices for the use, storage and maintenance of a weapon, or category of weapon, the possession of which is to be authorised by a licence (the “ new licence ”) if the person complies with subsection (2), (3) or (4).	7 8 9 10
‘(2) The person complies with this subsection if the person satisfies the commissioner the person has satisfactorily completed, within the 12 month period immediately before the day the person applies for the issue of the new licence—	11 12 13 14
(a) if the new licence is a security licence (guard)—	15
(i) the training course approved by the commissioner for section 124; ¹ or	16 17
(ii) a course in safety training for weapons conducted in another State that the commissioner is satisfied is at least equivalent to a course approved by the commissioner for section 124; or	18 19 20 21
(b) otherwise—a course in safety training for weapons approved by the commissioner.	22 23
‘(3) The person complies with this subsection if the new licence is not a security licence (guard), and the commissioner is satisfied the person has an adequate knowledge of safety practices for the use, storage and maintenance of the weapon, or category of weapon, because—	24 25 26 27
(a) the person is authorised to possess and use a weapon of the weapon’s category, or a weapon of the category of weapon, in another jurisdiction; or	28 29 30
(b) the person has, within the 12 month period immediately before the day the person applies for the issue of the new licence,	31 32

1 Section 124 (Training courses for security guards)

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satisfactorily completed a course in safety training for weapons	1
at least equivalent to a course approved by the commissioner	2
under subsection (2)(b).	3
‘(4) The person complies with this subsection if—	4
(a) within the 6 months immediately before the day the person made	5
the application for the new licence, the person was a licensee;	6
and	7
(b) the licence (the “ previous licence ”) held by the person as a	8
licensee was no longer in force when the person made the	9
application for the new licence; and	10
(c) it was not a reason for the previous licence being no longer in	11
force that the licence had been suspended or revoked under this	12
Act; and	13
(d) the previous licence was a licence of 1 of the following classes—	14
(i) collector’s licence (heirloom) or (weapons);	15
(ii) concealable firearms licence;	16
(iii) firearms licence;	17
(iv) minor’s licence.	18
‘10B Fit and proper person	19
‘(1) In deciding or considering, for the issue, renewal, suspension or	20
revocation of a licence, whether a person is, or is no longer, a fit and proper	21
person to hold a licence, an authorised officer must consider, among other	22
things—	23
(a) the mental and physical fitness of the person; and	24
(b) whether a domestic violence order has been made against the	25
person; and	26
(c) whether the person has stated anything in or in connection with	27
an application for a licence, or an application for the renewal of a	28
licence, the person knows is false or misleading in a material	29
particular; and	30
(d) the public interest.	31

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‘(2) However, for the issue, renewal or revocation of a licence, a person is not a fit and proper person to hold a licence if, in Queensland or elsewhere within the relevant period—	1 2 3
(a) the person has been convicted of, or discharged from custody on sentence after the person has been convicted of, any of the following offences—	4 5 6
(i) an offence relating to the misuse of drugs;	7
(ii) an offence involving the use or threatened use of violence;	8
(iii) an offence involving the use, carriage, discharge or possession of a weapon; or	9 10
(b) a domestic violence order, other than a temporary protection order, has been made against the person.	11 12
‘(3) In this section—	13
“relevant period” means—	14
(a) for the issue or renewal of a licence—the 5 year period immediately before the day the person applies for the issue or renewal of the licence; or	15 16 17
(b) for the revocation of a licence—within the last 5 years.’.	18
6 Amendment of s 15 (Authorised officer decides application)	19
Section 15(5)(a), ‘10(6)’—	20
<i>omit, insert—</i>	21
‘10B(2)’.	22
7 Amendment of s 18 (Renewal of licences)	23
(1) Section 18(1)—	24
<i>omit, insert—</i>	25
‘(1) A licensee may apply for the renewal of the licensee’s licence.	26
‘(1A) The licensee must make the application for renewal of the licence before the day the licence expires.’.	27 28
(2) Section 18(4)—	29
<i>omit, insert—</i>	30

‘(4) An authorised officer must ensure the application is decided—	1
(a) as soon as practicable after the application is made; and	2
(b) if the application is not decided on or before the day the licence expires—within 42 days after the day the licence expires.’.	3 4
(3) Section 18(8)—	5
<i>omit, insert—</i>	6
‘(8) Section 10(1), (2)(a), (2)(c) to (g) and (2A) to (3) applies to the renewal of a licence.	7 8
‘(9) For applying the provisions mentioned in subsection (8) to the renewal of a licence, a reference to the issue of the licence is taken to be a reference to the renewal of the licence.’.	9 10 11
8 Insertion of new s 20A	12
After section 20—	13
<i>insert—</i>	14
‘20A Continuation of licence until renewal application dealt with	15
‘(1) This section applies if—	16
(a) a licensee applies under section 18 for the renewal of a licence; and	17 18
(b) the application is not decided on or before the day the licence expires.	19 20
‘(2) The licence, as in force immediately before its expiry, continues in force, as if it had not expired, until the first of the following happens—	21 22
(a) the authorised officer deciding the application approves the application and renews the licence;	23 24
(b) the authorised officer deciding the application rejects the application and gives the applicant the notice of rejection under section 19(1);	25 26 27
(c) 42 days elapse after the licence’s expiry.’.	28
9 Amendment of s 24 (Change in licensee’s circumstances)	29
Section 24(2)(a)(iii), ‘10(6)(a)(i) to (iii)’—	30

<i>omit, insert—</i>	1
‘10B(2)(a)’.	2
10 Amendment of s 28 (Suspension of licence)	3
Section 28(1)(b), ‘licence.’—	4
<i>omit, insert—</i>	5
‘licence. ² ’.	6
11 Amendment of s 29 (Revocation of licence)	7
Section 29(1)(d)—	8
<i>omit, insert—</i>	9
‘(d) the licensee is no longer a fit and proper person to hold a licence; ³ ’.	10 11
12 Amendment of s 31 (Licensee’s representative)	12
Section 31(5), definition “ fit and proper individual ”, ‘10’—	13
<i>omit, insert—</i>	14
‘10B’.	15
13 Amendment of s 34A (Definitions for pt 3)	16
Section 34A, ‘In this section’—	17
<i>omit, insert—</i>	18
‘In this part’.	19
14 Amendment of s 51 (Possession of a knife in a public place)	20
(1) Section 51, heading, after ‘ public place ’—	21
<i>insert—</i>	22

2 Section 10B (Fit and proper person) states matters for consideration.

3 Section 10B (Fit and proper person) states matters for consideration.

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‘or a school’.	1
(2) Section 51(1) and (3), after ‘public place’—	2
<i>insert—</i>	3
‘or a school’.	4
(3) Section 51(5)—	5
<i>insert—</i>	6
‘“school” means any part of the premises of—	7
(a) a State educational institution under the <i>Education (General Provisions) Act 1989</i> ; or	8 9
(b) a non-State school under the <i>Education (Accreditation of Non-State Schools) Act 2001</i> .’.	10 11
15 Amendment of s 65 (Unlawful trafficking in weapons)	12
Section 65, ‘to facilitate the commission of a crime’—	13
<i>omit.</i>	14
16 Amendment of s 71 (Licensed dealers and armourers to keep register)	15 16
(1) Section 71(5)—	17
<i>renumber</i> as section 71(6).	18
(2) Section 71—	19
<i>insert—</i>	20
‘(5) A person must not make an entry in the weapons register knowing the entry to be false or misleading in a material particular.	21 22
Maximum penalty—40 penalty units.’.	23
17 Amendment of s 100 (Limits on approvals)	24
Section 100(c), ‘10(4)’—	25
<i>omit, insert—</i>	26
‘10A(2)’.	27

18 Amendment of s 101 (Authorised officer may grant or refuse range approval)	1
	2
Section 101(1)(a)(i), ‘10(4)’—	3
<i>omit, insert—</i>	4
‘10A(2)’.	5
19 Insertion of new ss 168B–168C	6
After section 168A—	7
<i>insert—</i>	8
‘168B Amnesty declaration	9
‘(1) The commissioner may, with the approval of the Minister, declare an amnesty (“ amnesty declaration ”) for firearms of particular types.	10
	11
‘(2) An amnesty declaration must be published—	12
(a) in a gazette notice; and	13
(b) in a newspaper circulating generally throughout the State.	14
‘(3) The effect of an amnesty declaration is that a person must not be proceeded against for an offence against section 50 ⁴ for the possession of a firearm of a type mentioned in the amnesty declaration if the person takes action, in the amnesty period for the type of firearm, and in accordance with the conditions stated in the amnesty declaration—	15
	16
	17
	18
	19
(a) to surrender the firearm; or	20
(b) to obtain the necessary authority under this Act to possess the firearm.	21
	22
‘(4) Subsection (3) does not stop the commissioner from, with the approval of the Minister, amending or revoking an amnesty declaration.	23
	24
<i>Examples of amendment of amnesty declaration—</i>	25
1. An amendment changing the types of firearms mentioned in the amnesty declaration.	26
	27
2. An amendment shortening or lengthening the amnesty period for a type of firearm mentioned in the amnesty declaration.	28
	29
3. An amendment changing the conditions stated in the amnesty declaration.	30

4 Section 50 (Possession of weapons)

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‘(5) The commissioner must ensure, to the extent it is reasonably practicable, that an amendment or revocation of an amnesty declaration does not defeat the expectation a person may have had, before the amendment or revocation, to be able to take action to surrender, or to obtain the necessary authority to possess, a firearm. 1
2
3
4
5

Example— 6

If an amnesty declaration is to be amended to omit from the declaration the mention of a particular type of firearm, the amendment should, if reasonably practicable, operate to allow a person a reasonable time to surrender, or to obtain the necessary authority to possess, a firearm of the particular type before the amendment takes affect. 7
8
9
10

‘(6) The commissioner may include in an amnesty declaration any information or advice the commissioner considers appropriate to support the effectiveness of the declaration. 11
12
13

‘(7) No compensation is payable for the surrender of a firearm under an amnesty declaration. 14
15

‘(8) In this section— 16
“**amnesty period**”, for a type of firearm mentioned in an amnesty declaration, means the period stated in the amnesty declaration as the period for taking action to surrender, or to obtain the necessary authority under this Act to possess, a firearm of the type. 17
18
19
20

‘168C Dealing with surrendered firearm 21

‘(1) This section applies if a person surrenders a firearm of a type mentioned in an amnesty declaration under section 168B in accordance with the conditions stated in the amnesty declaration. 22
23
24

‘(2) On the surrender of the firearm, the firearm— 25

(a) becomes the property of the State; and 26

(b) is taken, for the *Police Powers and Responsibilities Act 2000*, chapter 11, part 3, division 7 to have been forfeited to the State.⁵. 27
28

5 *Police Powers and Responsibilities Act 2000*, chapter 11 (Administration), part 3 (Dealing with things in the possession of the police service), division 7 (Dealing with forfeited things)

20	Amendment of s 172 (Regulation-making power)	1
	Section 172(2), ‘the schedule’—	2
	<i>omit, insert</i> —	3
	‘schedule 1’.	4
21	Amendment of schedule (Subject matter for regulations)	5
	Schedule—	6
	<i>renumber</i> as schedule 1.	7
22	Insertion of new schedule	8
	After schedule 1, as renumbered—	9
	<i>insert</i> —	10
	‘SCHEDULE 2	11
	‘DICTIONARY	12
	section 5’.	13
	PART 3—AMENDMENT OF POLICE POWERS AND RESPONSIBILITIES ACT 2000	14 15
23	Act amended in pt 3	16
	This part amends the <i>Police Powers and Responsibilities Act 2000</i> .	17
24	Amendment of s 420 (Application of pt 3)	18
	Section 420—	19
	<i>insert</i> —	20
	‘(3) Also, this part has effect in relation to a dangerous drug subject to the operation of part 4 in relation to the dangerous drug.’.	21 22

25 Insertion of new ch 11, pt 4	1
After section 443—	2
<i>insert—</i>	3
‘PART 4—USE OF DANGEROUS DRUGS FOR TRAINING	4
	5
<i>‘Division 1—Preliminary</i>	6
‘443A Object of pt 4	7
‘(1) The object of this part is to ensure training in the police service about dangerous drugs is realistic and effective.	8 9
‘(2) The object is to be achieved by putting in place arrangements—	10
(a) to allow the police service to have access to dangerous drugs for training purposes; and	11 12
(b) to ensure dangerous drugs in the possession of the police service for training purposes—	13 14
(i) are carefully handled to ensure their effectiveness for training purposes is not compromised; and	15 16
(ii) are subject to strict tracking and accountability requirements.	17 18
‘443B Definitions for pt 4	19
‘In this part—	20
“agency arrangement” means an arrangement, or series of arrangements, between the commissioner and the chief executive officer, by whatever name known, of a department or other agency of the State or the Commonwealth providing for the following—	21 22 23 24
(a) the transfer of possession of a batch of a dangerous drug from the possession of the department or agency into the possession of the police service;	25 26 27
(b) that the batch of the dangerous drug is to be used for training in the police service;	28 29

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(c) the type and extent of the training for which the batch of the dangerous drug is to be used;	1 2
(d) what is to be done with the batch of the dangerous drug at the end of the training;	3 4
(e) anything else the parties to the arrangement consider appropriate.	5
<i>Example of an agency arrangement made up of a series of arrangements—</i>	6
A first arrangement between the commissioner and an agency could establish basic principles to govern the supply of dangerous drugs to the commissioner for training purposes. A second arrangement between the commissioner and the agency could establish particular procedures to be followed for transferring particular types of dangerous drugs between the commissioner and the agency, subject to the basic principles established in the first arrangement. A third arrangement between the commissioner and the agency could provide for the special circumstances applying to a batch of 1 of the particular types of dangerous drugs mentioned in the second arrangement. For the batch mentioned in the third arrangement, the agency arrangement may be ascertained from a reading of all 3 arrangements.	7 8 9 10 11 12 13 14 15 16 17
“commissioner direction” means a direction of the commissioner—	18
(a) authorising—	19
(i) the keeping of a batch of a dangerous drug; and	20
(ii) the use of the batch in training in the police service; and	21
(b) stating the conditions under which the keeping and use of the batch of the dangerous drug is authorised.	22 23
“drug control officer” means a person holding an appointment under division 2 as a drug control officer.	24 25
“drug vault” means a secure facility suitable for the storage of dangerous drugs in the possession of the police service for training purposes under the authority of a commissioner direction.	26 27 28
“register of dangerous drugs for training” means the register of dangerous drugs for training kept under section 443M.	29 30
“secure facility” means a facility that is secure against unauthorised entry.	31

<i>‘Division 2—Drug control officers</i>	1
‘443C Appointment and qualifications	2
‘(1) The commissioner may appoint a public service officer or a police officer as a drug control officer.	3 4
‘(2) However, the commissioner may appoint a person as a drug control officer only if—	5 6
(a) the commissioner is satisfied the person is qualified for appointment because the person has the necessary expertise or experience; or	7 8 9
(b) the person has satisfactorily finished training approved by the commissioner.	10 11
‘443D Appointment conditions	12
‘(1) A drug control officer holds office on any conditions stated in—	13
(a) the drug control officer’s instrument of appointment; or	14
(b) a signed notice given to the drug control officer; or	15
(c) a regulation.	16
‘(2) The instrument of appointment, a signed notice given to the drug control officer or a regulation may limit the drug control officer’s powers under this part.	17 18 19
‘(3) In this section—	20
“signed notice” means a notice signed by the commissioner.	21
‘443E Issue of identity card	22
‘(1) The commissioner must issue an identity card to each drug control officer.	23 24
‘(2) The identity card must—	25
(a) contain a recent photo of the drug control officer; and	26
(b) contain a copy of the drug control officer’s signature; and	27
(c) identify the person as a drug control officer under this part; and	28
(d) state an expiry date for the card.	29

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‘(3) This section does not prevent the issue of a single identity card to a person for this Act and for other purposes.	1 2
‘443F Resignation	3
‘(1) A drug control officer may resign by signed notice given to the commissioner.	4 5
‘(2) However, if holding office as a drug control officer is a condition of the drug control officer holding another office, the drug control officer may not resign as a drug control officer without resigning from the other office.	6 7 8
‘443G Return of identity card	9
‘A person who ceases to be a drug control officer must return the person’s identity card to the commissioner within 21 days after ceasing to be a drug control officer unless the person has a reasonable excuse.	10 11 12
Maximum penalty—40 penalty units.	13
‘443H Function and powers of drug control officer	14
‘(1) A drug control officer has the function of administering and controlling, as required under this part the conditions on which the drug control officer holds office, the following—	15 16 17
(a) the receiving into the possession of the police service of batches of dangerous drugs to be used for training purposes (the “batches”);	18 19 20
(b) the storage of the batches;	21
(c) the movement in and out of storage, for the purposes of training, of the batches or parts of the batches;	22 23
(d) how the batches leave the possession of the police service.	24
‘(2) A drug control officer has power, within the police service, to do all things necessary to be done for the performance of the drug control officer’s function.	25 26 27

<i>‘Division 3—Keeping and use of dangerous drugs for training</i>	1
‘443I Keeping dangerous drug for use in police service training	2
‘A batch of a dangerous drug may lawfully be kept in the possession of the police service and used for training in the police service if—	3 4
(a) the keeping of the batch, and its use for training in the police service, is authorised under a commissioner direction; and	5 6
(b) the batch is kept, and used for training, in accordance with the conditions included in the commissioner direction.	7 8
‘443J Making commissioner direction	9
‘(1) The commissioner may make a commissioner direction for a batch of a dangerous drug.	10 11
‘(2) The commissioner may make a commissioner direction for a batch of a dangerous drug only if the batch—	12 13
(a) is in the possession of the police service—	14
(i) having been forfeited, or ordered to be forfeited, to the State under this or another Act; or	15 16
(ii) having been ordered under this Act to be disposed of or destroyed; or	17 18
(b) comes into the possession of the police service under an agency arrangement.	19 20
‘(3) The conditions included in the commissioner direction must include the following conditions—	21 22
(a) a condition that the batch must be used only for the training purposes stated in the condition;	23 24
<i>Example of training purposes—</i>	25
Training police dogs to detect the presence of dangerous drugs in various situations.	26 27
(b) a condition that the training for which the batch is used must be of the type, and of the extent, stated in the condition;	28 29
(c) a condition that the whole of the batch must at all times—	30

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(i)	be under the effective control of a drug control officer or 1 1 or more of the police officers identified in the condition; 2 or 3	
(ii)	be kept securely in a way stated in the condition; 4	
(d)	a condition that, as soon as practicable after the batch is used for 5 training purposes for the last time, the batch must be destroyed or 6 disposed of in the way stated in the condition. 7	
‘(4)	Subsection (3) does not limit the conditions that may be included in 8 the commissioner direction. 9	
‘(5)	The commissioner must ensure that the police service complies with 10 the conditions included in the commissioner direction. 11	
‘443K	Entering into agency arrangement 12	
‘(1)	The commissioner may enter into an agency arrangement. 13	
‘(2)	The commissioner may enter into an agency arrangement only if the 14 department or other agency, whose chief executive officer is the other party 15 to the arrangement, is authorised to possess the batch of the dangerous drug 16 the subject of the arrangement. 17	
‘(3)	The commissioner must ensure the police service complies with the 18 agency arrangement. 19	
‘443L	Requirements for keeping of dangerous drugs for training 20 purposes 21	
‘(1)	The following requirements apply for the police service’s possession 22 of dangerous drugs for training purposes— 23	
(a)	each batch of a dangerous drug must be stored in a drug vault; 24	
(b)	when a batch of a dangerous drug is received into a drug vault for 25 storage for the first time, it must be accompanied by a document 26 certifying, in a way approved by the commissioner, the weight 27 and purity of the batch; 28	
(c)	a drug vault must not be used for storing a dangerous drug that is 29 in the possession of the police service other than for training 30 purposes; 31	
(d)	a drug vault must be designed and constructed for ensuring, to 32 the greatest practicable extent, that each batch of a dangerous 33	

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-
- drug stored in it keeps its level of effectiveness for training purposes; 1
2
- (e) a drug vault must include enough separate storage to ensure that no batch of a dangerous drug stored in the vault can be contaminated by another batch, or can otherwise be made ineffective or less effective for training purposes; 3
4
5
6
- (f) the whole of a batch of a dangerous drug must be stored in a drug vault at all times, except to the extent the batch, or a part of the batch, is required to be held somewhere else for training purposes; 7
8
9
10
- (g) an audit of each drug vault must be conducted at least once every 3 months by a police officer not otherwise directly associated with the keeping or use of dangerous drugs for training purposes; 11
12
13
- (h) when a batch of a dangerous drug leaves a drug vault for the last time— 14
15
- (i) it must be accompanied by a document certifying, in a way approved by the commissioner, the weight and purity of the batch; and 16
17
18
- (ii) a copy of the document mentioned in subparagraph (i) must be kept at the drug vault or at another place the commissioner directs. 19
20
21
- ‘(2) Without limiting the scope of an audit under subsection (1)(g), the audit must include— 22
23
- (a) finding out whether all quantities of dangerous drugs that should be in the drug vault at the time of the audit are in the vault; and 24
25
- (b) finding out whether the drug vault is storing any dangerous drugs, or anything else, that should not be stored in the drug vault; and 26
27
28
- (c) finding out whether, and to what extent, the purity of any batch of a dangerous drug stored at the drug vault has been adversely affected since it was received into the drug vault; and 29
30
31
- (d) a review of the register of dangerous drugs for training. 32
- ‘(3) Without limiting the requirements for an audit under subsection (1)(g), requirements for the audit include the following— 33
34
- (a) the performance of the audit must be supervised by a police officer who is— 35
36

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(i)	of at least the rank of inspector; and	1
(ii)	not otherwise directly associated with the keeping or use of dangerous drugs for training purposes;	2 3
(b)	all batches of dangerous drugs stored in the drug vault must be the subject of analysis by an analyst under the <i>Drugs Misuse Act 1986</i> ;	4 5 6
(c)	the accuracy of the scales used in measuring the weights of batches of dangerous drugs stored in the drug vault must be certified in a way approved by the commissioner.	7 8 9
	<i>‘Division 4—Register of dangerous drugs for training</i>	10
	‘443M Register of dangerous drugs for training	11
	‘(1) The police service must keep a register of dangerous drugs for training.	12 13
	‘(2) The register may form part of another register whether kept under this or another Act.	14 15
	‘(3) The police service—	16
(a)	subject to subsection (4), may keep the register of dangerous drugs for training in the way the commissioner considers appropriate; and	17 18 19
	<i>Example for paragraph (a)—</i>	20
	The register may be kept on a computer or partly on a computer and partly in written form.	21 22
(b)	must ensure the register is kept in a secure place.	23
	‘(4) The register of dangerous drugs for training must be kept in a way that, to the greatest practicable extent, enables a drug control officer, or a police officer performing a lawful function associated with the keeping of dangerous drugs in the possession of the police service under this Act, whether or not under this part, to comply with this Act’s requirements.	24 25 26 27 28
	‘(5) Unless the commissioner otherwise authorises, an entry in the register of dangerous drugs for training may only be made by a drug control officer who is authorised, under the conditions on which the drug control officer holds office, to make the entry.	29 30 31 32

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‘(6) If the commissioner gives a direction under this division restricting access to information included in the register of dangerous drugs for training, a drug control officer authorised to record the information in the register must ensure the information is recorded in a way that, to the greatest practicable extent, stops disclosure of the information to a person not authorised to have access to it.

‘443N Information to be recorded in the register of dangerous drugs for training

‘(1) The following information must be recorded in the register of dangerous drugs for training about each batch of a dangerous drug coming into the possession of the police service to be used for training purposes—

- (a) the name of the dangerous drug;
- (b) a description of the batch;
- (c) the weight, in grams, of the batch;
- (d) a description of any container or packaging, and of any other item, used for conveying the batch into the possession of the police service;
- (e) the weight, in grams, of any container or packaging, and of any other item, used for conveying the batch into the possession of the police service;
- (f) when the batch was received into the possession of the police service;
- (g) the purity of the batch, and details of the certification of the purity;
- (h) a description of the circumstances in which the batch came into the possession of the police service.

‘(2) The following information must be recorded in the register of dangerous drugs for training about each batch of a dangerous drug in the possession of the police service for training purposes if the batch, or part of the batch, is taken from the drug vault where it is stored because it is to be used for training purposes—

- (a) when the batch or part leaves the drug vault;
- (b) the nature of the training for which the batch or part is to be used;

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(c) the condition of any container or packaging in which the batch or part leaves the drug vault;	1 2
(d) the weight, in grams, of the batch or part when it leaves the drug vault;	3 4
(e) the weight, in grams, of any container or packaging in which the batch or part leaves the drug vault;	5 6
(f) the condition of any container or packaging in which the batch or part is returned to the drug vault;	7 8
(g) the weight, in grams, of the batch or part when it is returned to the drug vault;	9 10
(h) the weight, in grams, of any container or packaging in which the batch or part is returned to the drug vault.	11 12
‘(3) The following information must be recorded in the register of dangerous drugs for training when a batch of a dangerous drug leaves a drug vault for the last time to be disposed of or to be returned to an entity under an agency arrangement—	13 14 15 16
(a) the weight, in grams, of the batch when it leaves the drug vault;	17
(b) the weight, in grams, of any container or packaging in which the batch leaves the drug vault.	18 19
‘(4) Recording under subsection (1), (2) or (3) must be performed as close as reasonably practicable to the happening of the event to which the recording relates.	20 21 22
‘4430 Restriction on release of information from register of dangerous drugs for training	23 24
‘(1) The commissioner may give a direction restricting access to information recorded in the register of dangerous drugs for training to persons other than—	25 26 27
(a) a drug control officer who reasonably needs the information for the performance of the officer’s function under this part; or	28 29
(b) a police officer who reasonably needs the information for conducting or supervising, under this part, an audit of a drug vault; or	30 31 32
(c) another police officer, if the police officer is performing a function associated with the keeping of dangerous drugs in the	33 34

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possession of the police service under this Act, whether or not	1
under this part, and reasonably needs the information for the	2
performance of the officer’s function; or	3
(d) a person stated in the direction.	4
‘(2) A direction under subsection (1) may restrict access to all	5
information recorded in the register or only to information of a type stated	6
in the direction.	7
‘(3) The commissioner must keep a written record of the reasons for	8
giving a direction under subsection (1) in each particular case.	9
‘(4) The commissioner may give a direction under subsection (1), and	10
keep the direction in place, only if the commissioner considers that a	11
failure to give the direction, or to keep the direction in place, may	12
prejudice—	13
(a) the security of a drug vault; or	14
(b) the safety of—	15
(i) a drug control officer; or	16
(ii) another person associated with keeping dangerous drugs in	17
the possession of the police service for training purposes; or	18
(iii) a person associated with a person mentioned in	19
subparagraph (i) or (ii).’.	20
26 Amendment of sch 4 (Dictionary)	21
Schedule 4—	22
<i>insert—</i>	23
‘ “agency arrangement”, for chapter 11, part 4, see section 443B.	24
“commissioner direction”, for chapter 11, part 4, see section 443B.	25
“drug control officer”, for chapter 11, part 4, see section 443B.	26
“drug vault”, for chapter 11, part 4, see section 443B.	27
“register of dangerous drugs for training”, for chapter 11, part 4, see	28
section 443B.	29
“secure facility”, for chapter 11, part 4, see section 443B.’.	30

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