

Police Powers and Responsibilities and other Acts Amendment Bill 2006

Explanatory Notes for Amendments to be moved during consideration in detail by the Honourable Judy Spence MP

Title of the Bill

Police Powers and Responsibilities and Other Acts Amendment Bill 2006

Objectives of the Amendments

The amendments do not alter policy contained in the Bill but merely correct technical drafting errors that arose as a result of the overlapping provisions of the *Cross-Border Law Enforcement Legislation Amendment Act 2005* and the *Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005*.

Achievement of the Objectives

The proposed amendments do not affect policy considerations.

Alternative Ways of Achieving Policy Objectives

There are no alternative ways of achieving the outcomes of the amendments.

Consistency with Fundamental Legislative Principles

There are no fundamental legislative principles associated with the amendments.

Notes on Provisions

Amendment 1, clause 2 inserts subparagraph (h) to make necessary technical amendments to schedule 2 relating to the *Cross-Border Law Enforcement Legislation Amendment Act 2005* and the *Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005*. The amendment deals with an overlapping defect that would have occurred as a result of the commencement of the Acts and the Bill.

Amendment 2 alters Schedule 2 to rectify aspects of drafting that would have caused technical errors on commencement of the Act in conjunction with the commencement of the Bill.

Additionally, amendment 2 amends the definition ‘relevant person’ in Schedule 4 of the *Police Powers and Responsibilities Act 2000*. The amendment corrects an error with the use of the word ‘and’ at the end of paragraphs (a), (c), (d) and (e) and inserts the word ‘or’ instead.

Further, amendment 2 amends section 28 of the *Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005* by inserting the words ‘relevant court’ to ensure an existing definition of relevant court is omitted.

The amendments do not make any policy alterations to the Bill but merely overcome technical overlapping defects that would have arisen on commencement of the Bill in conjunction with the mentioned Acts. The Bill and the Acts amend the *Police Powers and Responsibilities Act 2000*.