

Police Powers and Responsibilities (Commonwealth Games) Amendment Bill 2017

Explanatory Notes

For

Amendments To Be Moved During Consideration In Detail By The Honourable Mark Ryan MP, Minister for Police, Fire and Emergency Services and Minister for Corrective Services

Short title

Police Powers and Responsibilities (Commonwealth Games) Amendment Bill 2017

Objectives of the Amendments

The objective of the amendment to be moved during consideration in detail is to amend the *Police Powers and Responsibilities Act 2000* (PPRA) to require a review of the operation and effectiveness of new chapter 19A.

The Police Powers and Responsibilities (Commonwealth Games) Amendment Bill 2017 (the Bill) was referred to the Education, Tourism, Innovation and Small Business Committee (the Committee) for examination. The Committee tabled its report on the Bill on 27 April 2017.

Recommendation 3 of the Committee's report was that the Bill 'be amended to provide that the Commissioner must ensure that the operation and effectiveness of the additional police powers in protective security zones for the Commonwealth Games are reviewed, in similar terms to section 98 of the now repealed *G20 (Safety and Security) Act 2013*.'

The Government supports this recommendation and agrees that it is appropriate to include a clause in the Bill to ensure the Commissioner of Police conducts a review of the additional police powers for the 2018 Commonwealth Games (the Games). The

Queensland Police Service (QPS) planned to conduct a review of chapter 19A at the conclusion of the Games as part of the finalisation of the entire QPS Games response and this amendment will formalise this process.

To give effect to the Committee's recommendation, the amendment will insert new clause 4A into the Bill to insert a replacement section 808 into the *Police Powers and Responsibilities Act 2000* (PPRA) to require a review of the operation and effectiveness of new chapter 19A.

Existing section 808 'Review of motorbike noise provisions' is being replaced as this section is now superfluous. The section required the then Crime and Misconduct Commission (CMC) to, as soon as reasonably practicable after the end of one year after the commencement of the *Police Powers and Responsibilities (Motorbike Noise) Amendment Act 2005*, review the effectiveness of the motorbike noise provisions. The CMC conducted the review in 2009 and the review report was tabled in the Legislative Assembly on 15 April 2010. Therefore, existing section 808 is no longer required and can be replaced.

Achievement of policy objectives

The objective is achieved by amending the PPRA to insert new section 808 which requires that a review of the operation and effectiveness of chapter 19A be undertaken.

Alternative ways of achieving the policy objectives

There is no alternative way to achieve the policy objective.

Estimated cost for government implementation

In planning the policing and safety response to the Games, the QPS identified the need to evaluate the operation of chapter 19A of the PPRA. Consequently, any additional costs associated with the implementation of these amendments are expected to be minimal and will be met through existing budgets.

Consistency with fundamental legislative principles

The amendment is consistent with fundamental legislative principles.

Consultation

Consultation has been undertaken with the Department of the Premier and Cabinet and the Office of the Queensland Parliamentary Counsel.

Notes on provisions

Amendment 1 inserts new clause 4A in the Bill.

Clause 4A inserts a replacement section 808 into the PPRA.

New section 808 provides that the commissioner must ensure the operation and effectiveness of chapter 19A is reviewed and requires the commissioner to give a report of the outcome of the review to the Minister by 22 March 2019.

New section 808(3) further provides that the Minister must table the report in the Legislative Assembly as soon as reasonably practicable after the Minister is given the report by the commissioner.

New section 808(4) provides that the section expires on 22 April 2019.

The clause is drafted in similar terms to section 98 'Review of Act' of the repealed *G20 (Safety and Security) Act 2013*.