



Queensland

Witness Protection Regulation 2011

Explanatory Notes for SL 2011 No. 159

made under the

Witness Protection Act 2000

General outline

Short title

Witness Protection Regulation 2011.

Authorising law

Section 51 of the *Witness Protection Act 2000*

Policy objectives and the reasons for them

The primary objective of the regulation is to re-make the *Witness Protection Regulation 2001*, which would otherwise expire on 1 September 2011.

Consistency with policy objectives of authorising law

The regulation is consistent with the main objectives of the *Witness Protection Act 2000*.

Inconsistency with policy objectives of other legislation

The Regulation is consistent with the policy objectives of other legislation.

Benefits and costs of implementation

There are no costs associated with the implementation of the regulation.

Consistency with Fundamental Legislative Principles

The regulation is consistent with fundamental legislative principles.

Consultation

The Department of the Premier and Cabinet, Queensland Treasury and the Crime and Misconduct Commission were consulted.

Reasons for non-inclusion of information

The regulation replaces an existing regulation that would otherwise expire on 1 September 2011 if not replaced. The regulation has been drafted as per the existing regulation so as to preserve its operation. There are no alternative ways in which the objectives could be achieved.

Notes on Provisions

PART 1 - Preliminary

Clause 1 establishes the short title to the regulation.

Clause 2 provides that the regulation will commence on 1 September 2011.

Clause 3 states that the dictionary in the schedule defines particular words used in this regulation.

Clause 4 provides a list of approved authorities for the purposes of section 43 of the *Witness Protection Act 2000* (the Act). It provides that each of the following entities is an approved authority for the Act, schedule 2, definition *approved authority* but only in relation to the Act, section 43-

- (a) Australian Crime Commission;
- (b) Corruption and Crime Commission;
- (c) Independent Commission Against Corruption;
- (d) Integrity Commissioner;

- (e) New South Wales Crime Commission;
- (f) Office of Police Integrity;
- (g) Police Integrity Commission.

Clause 5 provides that each of the following is a complementary witness protection law for the Act, schedule 2, definition *complementary witness protection law*-

- (a) *Witness Protection Act 1994* (Cwlth);
- (b) *Witness Protection Act 1995* (NSW);
- (c) *Witness Protection Act 1996* (SA);
- (d) *Witness Protection Act 2000* (Tas);
- (e) *Witness Protection Act 1991* (Vic);
- (f) *Witness Protection (Western Australia) Act 1996* (WA).

Clause 6 provides that each of the following entities is a law enforcement agency for the Act, schedule 2, definition *law enforcement agency*-

- (a) Australian Crime Commission;
- (b) Corruption and Crime Commission;
- (c) Independent Commission Against Corruption;
- (d) Integrity Commissioner;
- (e) New South Wales Crime Commission;
- (f) Office of Police Integrity;
- (g) Police Integrity Commission.

Clause 7 provides that the Witness Protection Regulation 2001, SL No. 8 is repealed.

The Schedule contains the dictionary to the regulation.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General.

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