

Police Legislation Amendment Regulation (No. 1) 2015

Explanatory notes for SL 2015 No. 118

made under the

Police Powers and Responsibilities Act 2000
Police Service Administration Act 1990

General Outline

Short title

Police Legislation Amendment Regulation (No. 1) 2015

Authorising law

Section 809 and schedule 6 of the *Police Powers and Responsibilities Act 2000*

Sections 10.28 and 10.2G of the *Police Service Administration Act 1990*

Policy objectives and the reasons for them

The *Police Powers and Responsibilities Act 2000* (PPRA) includes the term “declared agency” in various provisions relating to operations, covert acts, enforcement acts, the transfer of seized property, and the exchange and use of certain types of information. The current definition of “declared agency”, as prescribed by the *Police Powers and Responsibilities Regulation 2012* (PPRR), includes both the “Australian Customs Service” and the “Commonwealth department within which the *Migration Act 1958* (Cwth) is administered”.

The *Police Service Administration Act 1990* (PSAA) contains provisions enabling the exchange of certain types of information with prescribed “law enforcement agencies” and “approved agencies”. The current definitions of both those terms, as prescribed by the *Police Service Administration Regulation 1990* (PSAR), include the “Australian Customs and Border Protection Service” (ACBPS).

On 1 July 2015, the ACBPS was amalgamated with the former Department of Immigration and Border Protection to form a new Department of Immigration and Border Protection.

It is therefore necessary to amend the PPRR and PSAR to update the relevant references to the Commonwealth department responsible for immigration and border protection.

Achievement of policy objectives

The amendment regulation achieves its objectives by amending schedules 6 (Declared agencies) and 10 (Dictionary) of the PPRR and sections 1.2 (Definitions), 7C.2 (Law enforcement agencies—Act, s 10.2G) and 7C.4 (Approved agencies—Act, s 10.2G) of the PSAR.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the objectives of the PPRA and PSAA.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The amendment regulation will not impose any additional costs on Government.

Consistency with fundamental legislative principles

The amendment regulation is consistent with the fundamental legislative principles defined in section 4 of the *Legislative Standards Act 1992*.

Consultation

The Department of the Premier and Cabinet, the Department of Justice and Attorney-General, Queensland Treasury, the Office of Best Practice Regulation and the Crime and Corruption Commission were consulted and support the amendment regulation.