

Criminal Investigation (Identifying People) Amendment Bill 2011

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Western Australia

LEGISLATIVE ASSEMBLY

**Criminal Investigation (Identifying People)
Amendment Bill 2011**

A Bill for

**An Act to amend the *Criminal Investigation (Identifying People)
Act 2002*.**

The Parliament of Western Australia enacts as follows:

s. 1

1 **1. Short title**

2 This is the *Criminal Investigation (Identifying People)*
3 *Amendment Act 2011*.

4 **2. Commencement**

5 This Act comes into operation as follows —

- 6 (a) sections 1 and 2 — on the day on which this Act
7 receives the Royal Assent;
8 (b) the rest of the Act — on the day after that day.

9 **3. Act amended**

10 This Act amends the *Criminal Investigation (Identifying People)*
11 *Act 2002*.

12 **4. Section 62 amended**

13 Delete section 62(1)(a) and (b) and insert:

- 14
15 (a) must not —
16 (i) be compared with other information,
17 whether or not in a forensic database; or
18 (ii) be put in a forensic database;
19 except in accordance with the decision of the
20 volunteer, or responsible person, made or
21 changed under section 20; and
22

23 **5. Section 63 amended**

24 (1) Delete section 63(1)(a) and insert:

- 25
26 (a) may be compared with other information,
27 whether or not in a forensic database, in
28 accordance with the direction of a coroner; and
29

1 (2) Delete section 63(2).

2 **6. Section 64 amended**

3 (1) In section 64(1)(a) delete “subject to subsection (2) and”.

4 (2) Delete section 64(2).

5 **7. Section 65 amended**

6 In section 65(1):

7 (a) delete paragraph (b).

8 (b) after paragraph (a) insert:

9

10 and

11

12 **8. Section 66 amended**

13 Delete section 66(2)(a) and insert:

14

15 (a) may be compared with other information,
16 whether or not in a forensic database, as soon
17 as it is obtained; and

18

19 **9. Section 67 amended**

20 Delete section 67(1)(a) and insert:

21

22 (a) may be compared with other information,
23 whether or not in a forensic database, as soon
24 as it is obtained; and

25

26 **10. Section 78 deleted**

27 Delete section 78.

s. 11

1 **11. Section 94 replaced**

2 Delete section 94 and insert:

3

4 **94. Transitional provision for *Criminal Investigation***
5 ***(Identifying People) Amendment Act 2011***

6 Identifying information may be compared with other
7 information in accordance with Part 9 whether that
8 identifying information or the information to which it
9 is being compared was obtained or lawfully put in a
10 forensic database before or after the commencement of
11 the *Criminal Investigation (Identifying People)*
12 *Amendment Act 2011* section 11.

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