

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 210
Issue No. 8

TUESDAY, 12 JUNE 2012

CRIMINAL INVESTIGATION (COVERT POWERS) BILL 2011 [210-2]

When in committee on the *Criminal Investigation (Covert Powers) Bill 2011*:

Clause 3

Minister for Energy representing the Minister for Police: To move –

49/3 Page 2, after line 14 — To insert —

authorising officer, for a law enforcement agency, means —

- (a) in relation to the Police Force or the fisheries department — the Commissioner of Police;
- (b) in relation to the Australian Crime Commission — the Chief Executive Officer of the Australian Crime Commission;

Minister for Energy representing the Minister for Police: To move –

50/3 Page 2, line 15 — To delete the line and insert —

chief officer, of a law enforcement agency, means —

Committee Recommendation 1 –

1/3 Page 3, line 14 — To delete the line.

Hon Giz Watson: To move –

27/3 Page 3, line 26 — To delete “or other government agency”.

Clause 5**Minister for Energy representing the Minister for Police:** To move –

51/5 Page 5, after line 28 — To insert —

Corruption and Crime Commission means the Corruption and Crime Commission established under the *Corruption and Crime Commission Act 2003*;

Minister for Energy representing the Minister for Police: To move –

52/5 Page 6, lines 12 to 14 — To delete the lines.

Committee Recommendation 2 –

2/5 Page 6, lines 26 and 27 — To delete the lines.

Committee Recommendation 3 [if 2/5 fails] –

3/5 Page 6, line 27 — To delete “definition;” and insert —

definition if and only if the prescribing of that offence has been recommended by resolution passed by both Houses of Parliament of this State;

Committee Recommendation 4 –

4/5 Page 6, lines 31 and 32 — To delete the lines.

Committee Recommendation 5 [if 4/5 fails] –

5/5 Page 6, line 32 — To delete “definition;” and insert —

definition if and only if the prescribing of that offence has been recommended by resolution passed by both Houses of Parliament of this State;

Clause 9**Committee Recommendation 7 –**

6/9 Page 8, line 12 — To insert after “Part” —

for 30 years after the commencement of this section

Committee Recommendation 6 –

7/9 Page 8, lines 10 to 15 — To oppose the clause.

Clause 10**Minister for Energy representing the Minister for Police:** To move –

53/10 Page 8, line 19 — To delete “chief officer of” and insert —

authorising officer for

Minister for Energy representing the Minister for Police: To move –
54/10 Page 9, line 2 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
55/10 Page 9, line 14 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
56/10 Page 9, line 21 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
57/10 Page 9, line 23 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
58/10 Page 9, line 27 — To delete “chief” and insert —

authorising

Clause 11

Minister for Energy representing the Minister for Police: To move –
59/11 Page 10, line 4 — To delete “chief” and insert —

authorising

Clause 12

Minister for Energy representing the Minister for Police: To move –
60/12 Page 10, line 10 — To delete “chief” and insert —

authorising

Committee Recommendation 9 –

8/12 Page 10, line 33 — To insert after “have” —

been

Minister for Energy representing the Minister for Police: To move –
30/12 Page 10, line 33 — To insert after “have” —

been

Minister for Energy representing the Minister for Police: To move –
61/12 Page 11, line 11 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
62/12 Page 11, line 15 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
63/12 Page 11, line 20 — To delete “chief” and insert —

authorising

Clause 13

Minister for Energy representing the Minister for Police: To move –
64/13 Page 11, line 27 — To delete “chief” and insert —

authorising

Clause 14

Minister for Energy representing the Minister for Police: To move –
65/14 Page 12, line 12 — To delete “chief” and insert —

authorising

Hon Giz Watson: To move –
28/14 Page 12, after line 18 — To insert —

- (c) that the relevant offence is an offence against the law of this jurisdiction punishable by imprisonment for 7 years or more; and
- (d) that intelligence gathering is not the sole purpose of the operation.

Clause 15**Minister for Energy representing the Minister for Police:** To move –**66/15** Page 12, line 23 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**67/15** Page 12, line 27 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**68/15** Page 14, lines 28 to 30 — To delete the lines and insert —

- (8) The authorising officer must, as soon as practicable after granting an urgent authority, make a record in writing of the particulars referred to in subsection (6) relating to the authority.

Committee Recommendation 10 –**9/15** Page 14, line 28 — To delete “must ensure that written notes are” and insert —

must, as soon as practicable after the authority is granted, ensure that a record in writing is

Clause 17**Minister for Energy representing the Minister for Police:** To move –**69/17** Page 15, line 6 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**70/17** Page 15, line 7 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**71/17** Page 15, line 11 — To delete “chief” and insert —

authorising

Clause 18

Minister for Energy representing the Minister for Police: To move –
72/18 Page 15, line 16 — To delete “chief” and insert —
authorising

Clause 19

Minister for Energy representing the Minister for Police: To move –
73/19 Page 16, line 4 — To delete “chief” and insert —
authorising

Minister for Energy representing the Minister for Police: To move –
74/19 Page 16, line 30 — To delete “chief” and insert —
authorising

Minister for Energy representing the Minister for Police: To move –
75/19 Page 17, line 5 — To delete “chief” and insert —
authorising

Minister for Energy representing the Minister for Police: To move –
76/19 Page 17, line 7 — To delete “chief” and insert —
authorising

Minister for Energy representing the Minister for Police: To move –
77/19 Page 17, line 11 — To delete “chief” and insert —
authorising

Clause 20

Minister for Energy representing the Minister for Police: To move –
78/20 Page 17, line 15 — To delete “chief” and insert —
authorising

Minister for Energy representing the Minister for Police: To move –

79/20 Page 17, line 24 — To delete “chief” and insert —

authorising

Clause 21

Minister for Energy representing the Minister for Police: To move –

80/21 Page 18, line 11 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

81/21 Page 19, lines 16 to 18 — To delete the lines and insert —

- (6) The authorising officer must, as soon as practicable after making an urgent variation of authority, make a record in writing of the particulars referred to in subsection (5) relating to the variation of authority.

Clause 22

Minister for Energy representing the Minister for Police: To move –

82/22 Page 19, line 20 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

83/22 Page 19, line 23 — To delete “chief” and insert —

authorising

Clause 25

Minister for Energy representing the Minister for Police: To move –

84/25 Page 21, line 7 — To insert after “hours” —

(or any longer period that the authorising officer may, in exceptional circumstances, allow)

Committee Recommendation 11 –

10/25 Page 21, line 7 — To insert after “hours” —

(or any longer period that the chief officer may, in exceptional circumstances, allow)

Minister for Energy representing the Minister for Police: To move –
85/25 Page 21, line 8 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
86/25 Page 21, line 11 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
87/25 Page 21, line 12 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
88/25 Page 21, line 14 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
89/25 Page 21, line 17 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
90/25 Page 21, line 22 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
91/25 Page 22, line 30 — To delete “chief” and insert —

authorising

Committee Recommendation 12 –
11/25 Page 21, line 1 to page 22, line 31 — To oppose the clause.

Clause 26

Minister for Energy representing the Minister for Police: To move –
92/26 Page 23, line 3 — To delete “A chief” and insert —

An authorising

Minister for Energy representing the Minister for Police: To move –
93/26 Page 23, line 4 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Minister for Energy representing the Minister for Police: To move –
94/26 Page 23, line 10 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Minister for Energy representing the Minister for Police: To move –
95/26 Page 23, line 10 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –
96/26 Page 23, line 12 — To delete “Parliamentary Commissioner’s” and insert —

Corruption and Crime Commission’s

Clause 30

Minister for Energy representing the Minister for Police: To move –
97/30 Page 26, line 1 — To delete “chief officer of” and insert —

authorising officer for

Minister for Energy representing the Minister for Police: To move –
98/30 Page 26, line 8 — To delete “chief” and insert —

authorising

Clause 35**Minister for Energy representing the Minister for Police:** To move –**34/35** Page 28, lines 26 and 27 — To delete “an authorised operation” and insert —

a controlled operation for which an authority is or was in force

Minister for Energy representing the Minister for Police: To move –**35/35** Page 29, after line 11 — To insert —

- (ca) for the purpose of seeking legal advice; or
- (cb) to a government agency for the purposes of a law enforcement operation conducted by that agency or for intelligence-gathering purposes; or

Committee Recommendation 15 –**12/35** Page 29, after line 12 — To insert —

- (e) for the purpose of seeking legal advice.

Clause 36**Committee Recommendation 16 –****13/36** Page 30, after line 8 — To insert —

- (g) information as to whether —
 - (i) in the course of the operation, any person engaged in conduct of a kind authorised by the authority for the operation (the relevant conduct) when the person was not so authorised; and
 - (ii) any criminal activity other than the relevant conduct was engaged in during the operation; and
 - (iii) any person is, because of section 31, not criminally responsible for ancillary conduct (as defined in that section) related to the relevant conduct; and
 - (iv) any variations were made to an authority for the operation; and
 - (v) any of those variations were to extend the period of validity of the authority; and
 - (vi) any retrospective authority was granted in respect of the operation; and
 - (vii) any urgent authority was granted in respect of the operation, and if so, whether the conduct authorised by that authority should, in the opinion of the principal law enforcement officer, have been authorised by a formal authority instead; and
 - (viii) any conditions of an authority for the operation were breached; and
 - (ix) any loss of or serious damage to property, or any personal injuries, occurred as an indirect result of the operation.

Minister for Energy representing the Minister for Police: To move –

36/36 Page 30, after line 8 — To insert —

- (g) details (to the extent known) of any loss of or serious damage to property, or any personal injuries, occurring as an indirect result of the operation;
- (h) information as to whether —
 - (i) in the course of the operation, any participant engaged in unlawful conduct (other than controlled conduct that the participant was authorised to engage in for the purposes of the operation); and
 - (ii) any unlawful conduct (other than controlled conduct) was engaged in during the operation; and
 - (iii) any person is, because of section 31, not criminally responsible for ancillary conduct (as defined in that section); and
 - (iv) any variations were made to an authority for the operation; and
 - (v) any of those variations were to extend the period of validity of the authority; and
 - (vi) any retrospective authority was granted in respect of the operation; and
 - (vii) any urgent authority was granted in respect of the operation; and
 - (viii) any conditions of an authority for the operation were breached.

Clause 37

Minister for Energy representing the Minister for Police: To move –

99/37 Page 30, line 12 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Minister for Energy representing the Minister for Police: To move –

100/37 Page 30, line 18 — To delete “chief officer,” and insert —

authorising officer for the agency,

Minister for Energy representing the Minister for Police: To move –

101/37 Page 30, line 20 — To delete “chief officer,” and insert —

authorising officer for the agency,

Minister for Energy representing the Minister for Police: To move –

102/37 Page 30, line 24 — To delete “chief officer; and” and insert —

authorising officer for the agency; and

Minister for Energy representing the Minister for Police: To move –
103/37 Page 30, lines 25 and 26 — To delete “chief officer; and” and insert —
 authorising officer for the agency; and

Minister for Energy representing the Minister for Police: To move –
104/37 Page 30, line 29 — To delete “chief officer,” and insert —
 authorising officer for the agency,

Minister for Energy representing the Minister for Police: To move –
105/37 Page 31, line 11 — To delete “chief officer” and insert —
 authorising officer for the agency

Minister for Energy representing the Minister for Police: To move –
106/37 Page 31, line 16 — To delete “Parliamentary Commissioner” and insert —
 Corruption and Crime Commission

Clause 38

Minister for Energy representing the Minister for Police: To move –
107/38 Page 31, line 31 — To delete “Parliamentary Commissioner” and insert —
 Corruption and Crime Commission

Committee Recommendation 17 –

14/38 Page 32, lines 14 to 16 — To delete the lines and insert —

- (3) The Minister must —
 - (a) exclude information from the report if satisfied on the advice of the chief officer of any of the grounds set out in subsection (2); and
 - (b) insert a statement to the effect that information has been excluded from the report under paragraph (a).

Minister for Energy representing the Minister for Police: To move –

37/38 Page 32, lines 14 to 16 — To delete the lines and insert —

(3) The Minister must —

- (a) exclude information from the report if satisfied on the advice of the chief officer of any of the grounds set out in subsection (2); and
- (b) insert a statement to the effect that information has been excluded from the report under paragraph (a).

Minister for Energy representing the Minister for Police: To move –

108/38 Page 32, lines 22 and 23 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Clause 39

Minister for Energy representing the Minister for Police: To move –

109/39 Page 33, lines 10 and 11 — To delete “chief officer;” and insert —

authorising officer for the agency;

Heading to Subdivision 3

Committee Recommendation 18 –

15/41 Page 35, line 18 — To insert after “**Inspections**” —

and investigations

Clause 41

Minister for Energy representing the Minister for Police: To move –

110/41 Page 35, line 20 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Minister for Energy representing the Minister for Police: To move –

111/41 Page 35, lines 25 to 28 — To delete the lines and insert —

- (2) For the purposes of an inspection under this section, the Corruption and Crime Commission —
- (a) after notifying the chief officer of the law enforcement agency, may enter at any reasonable time premises occupied by the agency; and
 - (b) is entitled to have full and free access at all reasonable times to all records of the law enforcement agency that are relevant to the inspection; and
 - (c) may require a person employed or engaged in the law enforcement agency to give the Corruption and Crime Commission any information that the Corruption and Crime Commission considers necessary, being information that is in the person's possession, or to which the person has access, and that is relevant to the inspection.
- (2A) The Corruption and Crime Commission may delegate to an officer of the Commission (as defined in the *Corruption and Crime Commission Act 2003* section 3(1)) a power or duty of the Corruption and Crime Commission under this section and, for that purpose, the *Corruption and Crime Commission Act 2003* section 185(3) to (6) apply as if the delegation were a delegation under section 185.

Minister for Energy representing the Minister for Police: To move –

112/41 Page 35, lines 30 and 31 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Minister for Energy representing the Minister for Police: To move –

113/41 Page 35, line 31 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Minister for Energy representing the Minister for Police: To move –

114/41 Page 36, line 1 — To delete “Parliamentary Commissioner” and insert —

Corruption and Crime Commission

Committee Recommendation 18 –

16/41 Page 36, after line 7 — To insert —

- (5) For the purposes of the *Parliamentary Commissioner Act 1971* section 14(1) the grant, variation or cancellation of, or refusal to grant, vary or cancel, an authority is to be taken —
- (a) to be a decision or recommendation made, or an act done or omitted, that relates to a matter of administration; and
 - (b) to affect a person or body of persons in his, her or its personal capacity.

Clause 43**Minister for Energy representing the Minister for Police:** To move –**115/43** Page 37, lines 3 to 12 — To delete the lines and insert —*senior officer* means —

- (a) in relation to an authorising officer or chief officer who is the Commissioner of Police — a police officer of or above the rank of Commander; or
 - (b) in relation to an authorising officer or chief officer who is the Chief Executive Officer of the Australian Crime Commission —
 - (i) an SES employee as defined in the *Australian Crime Commission Act 2002* (Commonwealth) section 4(1); or
 - (ii) a person holding a prescribed office in the Australian Crime Commission;
- or
- (c) in relation to a chief officer who is the chief executive officer of the fisheries department — a fisheries officer holding a prescribed office in the department.

Committee Recommendation 19 –**17/43** Page 37, line 8 — To delete “Director National Operations;” and insert —

Executive Director;

Minister for Energy representing the Minister for Police: To move –**116/43** Page 37, line 14 — To delete “of a” and insert —

of an authorising officer or

Minister for Energy representing the Minister for Police: To move –**117/43** Page 37, line 16 — To delete “chief officer of” and insert —

authorising officer for, or chief officer of,

Minister for Energy representing the Minister for Police: To move –**118/43** Page 37, lines 17 and 18 — To delete “of the agency any of the chief officer’s” and insert —

any of his or her

Clause 45**Committee Recommendation 21 –****18/45** Page 40, line 3 — To insert after “Part” —

for 30 years after the commencement of this section

Committee Recommendation 20 –

19/45 Page 40, lines 1 to 6 — To oppose the clause.

Clause 47

Minister for Energy representing the Minister for Police: To move –

119/47 Page 40, line 14 — To delete “chief officer of” and insert —

authorising officer for

Minister for Energy representing the Minister for Police: To move –

120/47 Page 41, line 2 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

121/47 Page 41, line 30 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

122/47 Page 42, line 1 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

123/47 Page 42, line 5 — To delete “chief” and insert —

authorising

Clause 48

Minister for Energy representing the Minister for Police: To move –

124/48 Page 42, line 9 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

125/47 Page 42, line 15 — To delete “chief” and insert —

authorising

Committee Recommendation 22 –

20/48 Page 42, lines 22 to 25 — To delete the lines.

Clause 49**Minister for Energy representing the Minister for Police:** To move –**126/49** Page 43, line 27 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**127/49** Page 44, line 2 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**128/49** Page 45, lines 13 to 15 — To delete the lines and insert —

- (7) The authorising officer must, as soon as practicable after granting an urgent authority, make a record in writing of the particulars referred to in subsection (5) relating to the authority.

Clause 51**Minister for Energy representing the Minister for Police:** To move –**129/51** Page 45, line 30 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**130/51** Page 46, line 5 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**131/51** Page 46, line 11 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –**132/51** Page 46, line 17 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

157/51 Page 47, lines 12 to 14 — To delete the lines and insert —

- (10) The authorising officer must, as soon as practicable after making an urgent variation of authority, make a record in writing of the particulars referred to in subsection (9) relating to the variation of authority.

Clause 52

Minister for Energy representing the Minister for Police: To move –

134/52 Page 47, line 16 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

135/52 Page 47, line 17 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

136/52 Page 47, line 20 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

137/52 Page 47, line 26 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

138/52 Page 48, line 2 — To delete “chief” and insert —

authorising

Minister for Energy representing the Minister for Police: To move –

139/52 Page 48, lines 25 to 27 — To delete the lines and insert —

- (9) The authorising officer must, as soon as practicable after making an urgent cancellation of authority, make a record in writing of the particulars referred to in subsection (8) relating to the cancellation of authority.

Clause 53

Minister for Energy representing the Minister for Police: To move –
140/53 Page, 48, line 29 — To delete “chief” and insert —
 authorising

Minister for Energy representing the Minister for Police: To move –
141/53 Page 48, line 30 — To delete “chief officer or a delegate of the chief” and insert —
 authorising officer or a delegate of the authorising

Minister for Energy representing the Minister for Police: To move –
142/53 Page 49, line 5 — To delete “chief” and insert —
 authorising

Minister for Energy representing the Minister for Police: To move –
143/53 Page 49, line 8 — To delete “chief” and insert —
 authorising

Clause 55

Minister for Energy representing the Minister for Police: To move –
144/55 Page 50, line 18 — To delete “chief officer” and insert —
 authorising officer for a law enforcement agency

Minister for Energy representing the Minister for Police: To move –
145/55 Page 50, line 26 — To insert after “officer” —
 of the law enforcement agency

Minister for Energy representing the Minister for Police: To move –
146/55 Page 50, line 29 — To insert after “officer” —
 of the law enforcement agency

Clause 58**Minister for Energy representing the Minister for Police:** To move –**147/58** Page 51, lines 23 and 24 — To delete “an authority granted under section 48 authorises” and insert —

the authorising officer for a law enforcement agency grants an authority under section 48 authorising

Minister for Energy representing the Minister for Police: To move –**148/58** Page 51, line 25 — To delete “who grants the authority” and insert —

of the law enforcement agency

Clause 66**Minister for Energy representing the Minister for Police:** To move –**149/66** Page 55, line 8 — To delete “chief officer of” and insert —

authorising officer for

Minister for Energy representing the Minister for Police: To move –**150/66** Page 55, line 10 — To insert after “officer” —

of the law enforcement agency

Clause 69**Minister for Energy representing the Minister for Police:** To move –**151/69** Page 56, lines 22 and 23 — To delete “an authority granted under section 48 authorises” and insert —

the authorising officer for a law enforcement agency grants an authority under section 48 authorising

Minister for Energy representing the Minister for Police: To move –**152/69** Page 56, line 24 — To delete “who grants the authority” and insert —

of the law enforcement agency

Clause 76**Committee Recommendation 24 –****21/76** Page 61, line 11 — To delete “both Houses” and insert —

each House

Minister for Energy representing the Minister for Police: To move –

42/76 Page 61, line 11 — To delete “both Houses” and insert —

each House

Committee Recommendation 23 –

22/76 Page 61, lines 18 to 20 — To delete the lines and insert —

- (3) The Minister must —
 - (a) exclude information from the report if satisfied on the advice of the chief officer of any of the grounds set out in subsection (2); and
 - (b) insert a statement to the effect that information has been excluded from the report under paragraph (a).

Minister for Energy representing the Minister for Police: To move –

43/76 Page 61, lines 18 to 20 — To delete the lines and insert —

- (3) The Minister must —
 - (a) exclude information from the report if satisfied on the advice of the chief officer of any of the grounds set out in subsection (2); and
 - (b) insert a statement to the effect that information has been excluded from the report under paragraph (a).

Clause 79

Minister for Energy representing the Minister for Police: To move –

153/79 Page 63, lines 15 to 22 — To delete the lines and insert —

- (a) in relation to an authorising officer or chief officer who is the Commissioner of Police — a police officer of or above the rank of superintendent; or
 - (b) in relation to an authorising officer or chief officer who is the Chief Executive Officer of the Australian Crime Commission —
 - (i) an SES employee as defined in the *Australian Crime Commission Act 2002* (Commonwealth) section 4(1); or
 - (ii) a person holding a prescribed office in the Australian Crime Commission;
- or
- (c) in relation to a chief officer who is the chief executive officer of the fisheries department — a fisheries officer holding a prescribed office in the department;
- or

Minister for Energy representing the Minister for Police: To move –
 154/79 Page 63, line 28 — To delete “of a” and insert —

of an authorising officer or

Minister for Energy representing the Minister for Police: To move –
 155/79 Page 64, line 1 — To delete “A chief officer of” and insert —

An authorising officer for, or chief officer of,

Minister for Energy representing the Minister for Police: To move –
 156/79 Page 64, line 2 — To delete “of the agency any of the chief officer’s” and insert —

any of his or her

Clause 80

Committee Recommendation 25 –

23/80 Page 65, lines 22 and 23 — To delete “either or both Houses of Parliament or by”.

Clause 88

Committee Recommendation 26 –

24/88 Page 72, lines 17 to 19 — To delete the lines and insert —

- (a) must hear the proceeding (including any application made under section 86 or 90 or order made under section 88(1)(b) relating to the proceeding), in a closed court; and

Minister for Energy representing the Minister for Police: To move –
 45/88 Page 72, lines 17 to 19 — To delete “(including any applications relating to the proceeding, such as those referred to in sections 86, 88 and 90)” and insert —

(including any application relating to the proceeding, such as an application for an order under paragraph (b) or an application under section 86 or 90)

Clause 100

Minister for Energy representing the Minister for Police: To move –
 46/100 Page 81, line 8 — To delete the line and insert —

- (i) an SES employee as defined in the *Australian Crime Commission Act 2002* (Commonwealth) section 4(1); or

New Clause 101A**Committee Recommendation 27 –**

25/NC101A Page 82, after line 6 — To insert —

101A. Parts 2 and 3 to be reviewed

- (1) The Minister must carry out a review of the operation of Parts 2 and 3 of this Act as soon as practicable after the expiration of 5 years after the date on which the Act commences.
- (2) The Minister must prepare a report based on the review and, as soon as practicable after the report is prepared and in any event not more than 18 months after the expiry of the period referred to in subsection (1), cause it to be laid before each House of Parliament.

New Clause 101A**Hon Giz Watson: To move –**

29/NC101A Page 82, after line 6 — To insert —

101A. Review of Act

- (1) The Minister must carry out a review of the operation and effectiveness of this Act as soon as practicable after the expiry of 3 years from its commencement.
- (2) The Minister must prepare a report based on the review and, as soon as practicable after the report is prepared, must cause the report to be laid before each House of Parliament.

Minister for Energy representing the Minister for Police: To move –

47/NC101A Page 82, after line 6 — To insert —

101A. Review of Parts 2 and 3

- (1) The Minister must carry out a review of the operation and effectiveness of Parts 2 and 3 as soon as is practicable after the end of the period of 5 years beginning on the day on which this section comes into operation.
- (2) The Minister must prepare a report based on the review and must cause the report to be laid before each House of Parliament as soon as is practicable after it is prepared and, in any event, not later than 18 months after the end of the period referred to in subsection (1).

Hon Adele Farina: To move –

158/NC101A Page 82, after line 6 — To insert —

101A. Review of Parts 2 and 3

- (1) The Minister must carry out a review of the operation and effectiveness of Parts 2 and 3 of this Act as soon as practicable after the expiration of 5 years after the date on which the Act received Royal Assent.
- (2) The Minister must prepare a report based on the review and must cause the report to be laid before each House of Parliament as soon as practicable after the report is prepared and in any event not more than 18 months after the expiry of the period referred to in subsection (1).

New Part 7A

Committee Recommendation 14 –

26/NP7A Page 84, after line 10 — To insert —

Part 7A — *Criminal Injuries Compensation Act 2003* amended

106A. Act amended

This Part amends the *Criminal Injuries Compensation Act 2003*.

106B. Section 13 amended

In section 13(5) delete “section 27.” and insert:

section 27 or the *Criminal Investigation (Covert Powers) Act 2012* section 27, 31 or 34.

106C. Section 16 amended

In section 16(5) delete “section 27.” and insert:

section 27 or the *Criminal Investigation (Covert Powers) Act 2012* section 27, 31 or 34.

106D. Section 17 amended

In section 17(5) delete “section 27.” and insert:

section 27 or the *Criminal Investigation (Covert Powers) Act 2012* section 27, 31 or 34.

Minister for Energy representing the Minister for Police: To move –

48/NP7A Page 84, after line 10 — To insert —

Part 7A — *Criminal Injuries Compensation Act 2003* amended

106A. Act amended

This Part amends the *Criminal Injuries Compensation Act 2003*.

106B. Section 13 amended

In section 13(5) delete “section 27.” and insert:

section 27 or the *Criminal Investigation (Covert Powers) Act 2012* section 27, 31 or 34.

106C. Section 16 amended

In section 16(5) delete “section 27.” and insert:

section 27 or the *Criminal Investigation (Covert Powers) Act 2012* section 27, 31 or 34.

106D. Section 17 amended

In section 17(5) delete “section 27.” and insert:

section 27 or the *Criminal Investigation (Covert Powers) Act 2012* section 27, 31 or 34.

