

WESTERN AUSTRALIA



LEGISLATIVE COUNCIL

AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 21
Issue No. 2

TUESDAY, 13 MARCH 2018

***CORRUPTION, CRIME AND MISCONDUCT AND CRIMINAL PROPERTY
CONFISCATION AMENDMENT BILL 2017 [21-2]***

When in committee on the *Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017*:

Clause 9

Hon Alison Xamon: To move –

1/9 Page 6, line 5 — To delete “functions.” and insert:

functions including but not limited to:

- (i) the number of cases in which the confiscable property was subject to a secured or unsecured debt;
- (ii) in relation to each such debt:
 - (A) the particulars of the debt;
 - (B) the nature of the creditor;
 - (C) whether and if so how the debt was taken into account in the exercise of the Commission’s functions; and
 - (D) whether the creditor used the objection process under Part 6 of the *Criminal Property Confiscation Act 2000* and if so the outcome of that process;
- (iii) excluding creditors referred to in (i) above, the number of cases in which a person apart from the person the subject of the confiscation proceedings had or claimed to have a legal or equitable interest in the confiscable property;
- (iv) in relation to each such interest:
 - (A) the particulars of the interest;

- (B) whether and if so how the interest was taken into account in the exercise of the Commission's functions; and
- (C) whether the person used the objection process under Part 6 of the *Criminal Property Confiscation Act 2000* and if so the outcome of that process.

New Clause 25A

Hon Alison Xamon: To move –

2/NC25A Page 15, after line 4 — To insert:

25A. Section 5A inserted

After section 5 insert:

5A Application of Act to CCC

Where this Act confers functions on the CCC, the exercise of those functions is subject to the CCC being satisfied that there are reasonable grounds for suspecting that the matter is substantially connected to organised crime as defined in the *Corruption, Crime and Misconduct Act 2003* section 3.

