

# TASMANIA

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## **AUSTRALIAN CRIME COMMISSION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2018**

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**AUSTRALIAN CRIME COMMISSION  
LEGISLATION (MISCELLANEOUS  
AMENDMENTS) BILL 2018**

*(Brought in by the Minister for Police, Fire and Emergency  
Management, the Honourable Michael Darrel Joseph  
Ferguson)*

**A BILL FOR**

**An Act to amend the *Annulled Convictions Act 2003*, the  
*Firearms Act 1996*, the *Forensic Procedures Act 2000* and  
the *Health Practitioner Regulation National Law  
(Tasmania) Act 2010***

Be it enacted by Her Excellency the Governor of Tasmania, by  
and with the advice and consent of the Legislative Council and  
House of Assembly, in Parliament assembled, as follows:

**PART 1 – PRELIMINARY**

**1. Short title**

This Act may be cited as the *Australian Crime  
Commission Legislation (Miscellaneous  
Amendments) Act 2018*.

**2. Commencement**

This Act commences on the day on which this  
Act receives the Royal Assent.

*Australian Crime Commission Legislation (Miscellaneous  
Amendments) Act 2018*  
*Act No. of*

s. 3

Part 2 – Annulled Convictions Act 2003 Amended

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**PART 2 – ANNULLED CONVICTIONS ACT 2003  
AMENDED**

**3. Principal Act**

In this Part, the *Annulled Convictions Act 2003*\*  
is referred to as the Principal Act.

**4. Section 3 amended (Interpretation)**

Section 3(1) of the Principal Act is amended by  
omitting paragraph (d) from the definition of  
*Justice Agency*.

**5. Schedule 1 amended (Non-exempt applications)**

Schedule 1 to the Principal Act is amended by  
omitting item 3 from Part 2.

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\*No. 46 of 2003

*Australian Crime Commission Legislation (Miscellaneous  
Amendments) Act 2018*  
*Act No. of*

Part 3 – Firearms Act 1996 Amended

**s. 6**

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**PART 3 – FIREARMS ACT 1996 AMENDED**

**6. Principal Act**

In this Part, the *Firearms Act 1996*\* is referred to as the Principal Act.

**7. Section 83 amended (Register of firearms)**

Section 83 of the Principal Act is amended as follows:

- (a) by omitting from subsection (3)(a) “CrimTrac” and substituting “the Australian Crime Commission”;
- (b) by omitting the definition of *CrimTrac* from subsection (4) and substituting the following definition:

***Australian Crime Commission*** means the Australian Crime Commission established by section 7 of the *Australian Crime Commission Act 2002* of the Commonwealth.

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\*No. 23 of 1996

*Australian Crime Commission Legislation (Miscellaneous  
Amendments) Act 2018*  
*Act No. of*

s. 8

Part 4 – Forensic Procedures Act 2000 Amended

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**PART 4 – FORENSIC PROCEDURES ACT 2000  
AMENDED**

**8. Principal Act**

In this Part, the *Forensic Procedures Act 2000*\*  
is referred to as the Principal Act.

**9. Section 58 amended (Database information)**

Section 58 of the Principal Act is amended as  
follows:

- (a) by omitting paragraph (a) from subsection (1A) and substituting the following paragraph:
  - (a) the Australian Crime Commission; and
- (b) by inserting the following subsections after subsection (3):
  - (4) Any arrangement entered into with CrimTrac under subsection (1A)(a) before the day on which the *Australian Crime Commission Legislation (Miscellaneous Amendments) Act 2018* commences and in force on that day, is taken to be an arrangement entered into with the

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\*No. 101 of 2000

*Australian Crime Commission Legislation (Miscellaneous  
Amendments) Act 2018*  
*Act No. of*

Part 4 – Forensic Procedures Act 2000 Amended

s. 9

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Australian Crime Commission  
under subsection (1A)(a).

(5) In this section –

***Australian Crime Commission***  
means the Australian  
Crime Commission  
established by section 7 of  
the *Australian Crime  
Commission Act 2002* of  
the Commonwealth;

***CrimTrac*** means the CrimTrac  
Agency established on  
1 July 2000 as an  
Executive Agency by the  
Governor-General of the  
Commonwealth under  
section 65 of the *Public  
Service Act 1999* of the  
Commonwealth.

*Australian Crime Commission Legislation (Miscellaneous  
Amendments) Act 2018*  
*Act No. of*

**s. 10**      Part 5 – Health Practitioner Regulation National Law (Tasmania) Act 2010  
                 Amended

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**PART 5 – HEALTH PRACTITIONER REGULATION  
NATIONAL LAW (TASMANIA) ACT 2010 AMENDED**

**10. Principal Act**

In this Part, the *Health Practitioner Regulation  
National Law (Tasmania) Act 2010\** is referred  
to as the Principal Act.

**11. Section 12 amended (Police commissioner may give  
criminal history information)**

Section 12 of the Principal Act is amended as  
follows:

- (a) by omitting from subsection (1)(b)  
“CrimTrac” first occurring and  
substituting “the Australian Crime  
Commission”;
- (b) by omitting from subsection (1)(b)  
“CrimTrac” second occurring and  
substituting “the Australian Crime  
Commission”;
- (c) by inserting the following definition  
before the definition of *criminal history  
information* in subsection (2):

***Australian Crime Commission*** means  
the Australian Crime  
Commission established by

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\*No. 2 of 2010



*Australian Crime Commission Legislation (Miscellaneous  
Amendments) Act 2018*  
*Act No. of*

Part 5 – Health Practitioner Regulation National Law (Tasmania) Act 2010  
Amended

**s. 11**

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section 7 of the *Australian Crime  
Commission Act 2002* of the  
Commonwealth;

*Australian Crime Commission Legislation (Miscellaneous  
Amendments) Act 2018*  
*Act No. of*

s. 12

Part 6 – Repeal of Act

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**PART 6 – REPEAL OF ACT**

**12. Repeal of Act**

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.