

TASMANIA

POLICE OFFENCES AMENDMENT (MISCELLANEOUS) BILL 2010

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**POLICE OFFENCES AMENDMENT
(MISCELLANEOUS) BILL 2010**

*(Brought in by the Minister for Health, the Honourable
Michelle Anne O'Byrne)*

A BILL FOR

An Act to amend the *Police Offences Act 1935*

Be it enacted by His 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:

1. Short title

This Act may be cited as the *Police Offences Amendment (Miscellaneous) Act 2010*.

2. Commencement

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

3. Principal Act

In this Act, the *Police Offences Act 1935** is referred to as the Principal Act.

*No. 44 of 1935

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4. Section 15E amended (Body armour)

Section 15E of the Principal Act is amended by inserting after subsection (1) the following subsection:

(1A) Subsection (1) does not apply to –

- (a) a police officer acting in the performance of his or her duties; or
- (b) a person, or group of persons, excluded in writing by the Commissioner from the application of that subsection.

5. Section 37MA amended (Special compulsory penalty for prescribed offences)

Section 37MA of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:

- (1) A court that convicts a person of a prescribed offence involving a vehicle must, if the vehicle was clamped or confiscated under this Division in connection with the prescribed offence, order the person to pay a special compulsory penalty.

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6. Section 37ZD amended (Unclamping or recovery of vehicle clamped or confiscated for second or subsequent prescribed offence)

Section 37ZD(1) of the Principal Act is amended by omitting “section 37P or 37Q” and substituting “this Division”.

7. Repeal of Act

This Act is repealed on the ninetieth day from the day on which it commences.