

## FACT SHEET

### *Police Legislation (Miscellaneous Amendments) Bill 2016*

The Tasmanian Government has introduced legislation into Parliament to make several miscellaneous amendments to the *Police Service Act 2003* and the *Police Offences Act 1935*.

The amendments to both Acts are intended to enhance the operation of existing provisions, and do not introduce any new provisions. In the development of the amendments, consultation was undertaken within government, with the Police Association of Tasmania, and with representatives of the Sikh community.

The amendments to the *Police Service Act 2003*:

- Provide for the use of a screening test in the occupational drug testing of police officers. Currently, only samples for laboratory testing can be taken, making any random testing both resource intensive and expensive. By making this change the occupational drug testing arrangements will more closely mirror the existing occupational alcohol testing regime; and
- Remove the requirement in section 50(6) that samples of saliva, urine or blood taken for occupational drug or alcohol testing be divided into three parts. This current provision is impractical for samples of small volume, such as saliva, which is the preferred sample type for drug testing. In addition, this change also facilitates the previously mentioned screening tests, in that it allows a single, individual, sample to be taken for this purpose.

The amendments to the *Police Offences Act 1935*:

- Expand the current prohibition on the possession, carriage or use of dangerous articles in public places to include knives – although the prohibition does not apply where the possession, carriage or use is with lawful excuse. It will further clarify that the proof of the lawful excuse lies with the accused;
- Add religious observance to the list of lawful excuses for which a dangerous article may be possessed, carried or used in a public place; and
- Add to the list of offences for which an infringement notice may be issued the offences of supplying liquor to a youth at a private premises (unless authorised) and supplying liquor inconsistent with the responsible supervision of the youth. Infringement notices had previously been able to be issued for these offences, however the last round of amendments to the Act unintentionally left these offences off.

Regulations will be drafted once the legislation has passed to give effect to the infringement notice provisions. The Bill will become law on a date it receives royal assent.