

CLAUSE NOTES

Australian Crime Commission Legislation (Miscellaneous Amendments) Bill 2018

Background:

The Bill introduces legislation making consequential amendments to Tasmanian Acts that authorise or facilitate certain bodies to release information to CrimTrac. Those Acts are amended to allow those bodies to send information to the Australian Crime Commission instead of CrimTrac.

PART 1 – PRELIMINARY

Clause 1: Short title

Australian Crime Commission Legislation (Miscellaneous Amendments) Act 2018

Clause 2: Commencement

This Act commences on the day it receives the Royal Assent.

PART 2 - *ANNULLED CONVICTIONS ACT 2003 AMENDED*

Clause 3: Principal Act

This clause provides that a reference in this Part to the Principal Act is a reference to the *Annulled Convictions Act 2003*.

Clause 4: Section 3 amended (Interpretation)

Amends the Principal Act by omitting paragraph (d) from the definition of a Justice Agency. Paragraph (d) is a reference to CrimTrac which no longer exists as an individual entity.

Clause 5: Schedule 1 amended (Non-exempt applications)

This clause amends Schedule 1 of the Principal Act by omitting item 3 from Part 2. Item 3 is a reference to CrimTrac.

Part 3 - *FIREARMS ACT 1996 AMENDED*

Clause 6: Principal Act

This clause provides that a reference in this Part to the Principal Act is a reference to the *Firearms Act 1996*.

Clause 7: Section 83 amended (Register of firearms)

Amends section 83 of the Principal Act by:

- omitting from subsection (3)(a) the word 'CrimTrac' and replacing it with the words 'Australian Crime Commission'.
- omitting the definition of CrimTrac in subsection (4) and replacing it with a definition of the Australian Crime Commission.

Part 4 - FORENSIC PROCEDURES ACT 2000 AMENDED

Clause 8: Principal Act

This clause provides that a reference in this Part to the Principal Act is a reference to the *Forensic Procedures Act 2000*.

Clause 9: Section 58 amended (Database information)

Amends section 58 of the Principal Act by:

- omitting from subsection 1A(a) the word 'CrimTrac' and replacing it with the words 'Australian Crime Commission'.
- creating a new subsection (3) which provides that arrangements made with CrimTrac prior to the commencement of this Bill, are deemed to also be an arrangement with the Australian Crime Commission.

Part 5 - HEALTH PRACTITIONER REGULATION NATIONAL LAW (TASMANIA) ACT 2010 AMENDED

Clause 10: Principal Act

This clause provides that a reference in this Part to the Principal Act is a reference to the *Health Practitioner Regulation National Law (Tasmania) Act 2010*.

Clause 11: Section 12 amended (Police Commissioner may give criminal history information)

Amends section 12 of the Principal Act by:

- omitting from subsection 1(b) the word 'CrimTrac' and replacing it with the words 'Australian Crime Commission'.
- inserting in subsection (2) a definition of the Australian Crime Commission.

Part 6 - REPEAL OF ACT

Clause 12: Principal Act

This clause repeals the Act on the 365th day after it commences.