

TASMANIA

**POLICE POWERS (SURVEILLANCE DEVICES)
AMENDMENT BILL 2022**

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**POLICE POWERS (SURVEILLANCE DEVICES)
AMENDMENT BILL 2022**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

LAURA ROSS, *Clerk of the House*
9 May 2023

*(Brought in by the Minister for Justice, the Honourable Elise
Nicole Archer)*

A BILL FOR

An Act to amend the *Police Powers (Surveillance Devices) Act 2006*

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:

1. Short title

This Act may be cited as the *Police Powers (Surveillance Devices) Amendment Act 2022*.

2. Commencement

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

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3. Principal Act

In this Act, the *Police Powers (Surveillance Devices) Act 2006** is referred to as the Principal Act.

4. Section 33 amended (Prohibition on communication or publication of protected information)

Section 33 of the Principal Act is amended by inserting after subsection (3) the following subsection:

- (3A) Subsections (1) and (2) do not apply to –
- (a) the use or communication, of protected information, for the purposes of an inquiry, review, or investigation, that is approved by the chief officer of a law enforcement agency and that relates to –
 - (i) the operation of this Act; or
 - (ii) the performance or exercise, or purported performance or exercise, of functions or powers under this Act by law enforcement officers of the law enforcement agency; or

*No. 22 of 2006

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- (b) the use of protected information in a report, in relation to the inquiry, review or investigation, that is made by the person who conducted the inquiry, review or investigation, and the publication of the report; or
- (c) the use, communication, or publication, by law enforcement officers of that law enforcement agency, of protected information contained in a report referred to in paragraph (b) –

if the use, communication or publication is in accordance with any conditions imposed by the chief officer of the law enforcement agency.

5. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.