

### **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

The object of this Bill is to amend the *Crimes Act 1900* to extend the date until which membership of a terrorist organisation is an offence under the Act from 13 September 2010 to 13 September 2013.

#### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** amends the *Crimes Act 1900* to extend the sunset date for the offence of being a member of a terrorist organisation. This offence (which is similar to the offence provided for in section 102.3 of the Criminal Code set out in the Schedule to the *Criminal Code Act 1995* of the Commonwealth) was originally inserted into the *Crimes Act 1900* by Schedule 4 to the *Terrorism Legislation Amendment (Warrants) Act 2005* in order to provide for the issue of covert search warrants under New South Wales law relating to membership of a terrorist organisation in anticipation of the Commonwealth Parliament enacting a national covert search warrant scheme. A

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national covert search warrant scheme has not yet been enacted. Accordingly, the additional 3 years before the repeal of the offence is proposed so as to ensure that covert search warrants can continue to be granted until a national scheme is adopted