

Passed by both Houses



New South Wales

Police Service Amendment (Testing for Gunshot Residue) Bill 2001

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Police Service Act 1990 No 47	2
Schedule 1 Amendment	3

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2001*



New South Wales

Police Service Amendment (Testing for Gunshot Residue) Bill 2001

Act No , 2001

An Act to amend the *Police Service Act 1990* to provide for testing police officers for gunshot residue following the discharge of a firearm by a police officer.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Police Service Amendment (Testing for Gunshot Residue) Act 2001*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Police Service Act 1990 No 47

The *Police Service Act 1990* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Section 3)

Section 211AB

Insert after section 211A:

211AB Testing of police officers for gunshot residue

- (1) A person authorised by the Commissioner may direct a police officer to submit to testing for gunshot residue if the officer has, or may have:
 - (a) discharged a firearm, or
 - (b) been present when another police officer has, or may have, discharged a firearm.
- (2) A direction under this section (a *relevant direction*) must be given as soon as practicable after the discharge, or suspected discharge, of the firearm.
- (3) A police officer given a relevant direction must submit to testing for gunshot residue in accordance with the direction and any regulations made for the purposes of this section.
- (4) The regulations may make provision for or with respect to the following matters:
 - (a) the conduct of testing for gunshot residue,
 - (b) the devices to be used in conducting testing for gunshot residue,
 - (c) the procedure for the handling and analysis of test samples,
 - (d) the accreditation of persons conducting analyses of gunshot residue,

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Schedule 1

Amendment

- (e) offences relating to interference with testing for gunshot residue or test results,
- (f) the confidentiality of test results.