

LEGISLATIVE COUNCIL

**Crimes (Criminal Organisations Control) Bill 2012**

**First Print**

**Proposed amendments**

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- No. 1 Page 2, clause 3, line 28. Omit “*Judge*”. Insert instead “*ADT member*”.
- No. 2 Page 5, clause 5, lines 2–27. Omit all words on those lines. Insert instead:

**5 Eligible ADT members**

- (1) In this Part:  
*ADT* means the Administrative Decisions Tribunal.  
*eligible ADT member* means a Deputy President of the ADT in relation to whom a consent under subsection (2) and a declaration under subsection (3) are in force.
- (2) A Deputy President of the ADT who is not a judicial officer within the meaning of the *Judicial Officers Act 1986* may, by instrument in writing, consent to being the subject of a declaration by the Attorney General under subsection (3).
- (3) The Attorney General may, by instrument in writing, declare a Deputy President of the ADT in relation to whom a consent is in force under subsection (2) to be an eligible ADT member for the purposes of this Part.
- (4) An eligible ADT member has, in relation to the exercise of a function conferred on an eligible ADT member by this Part, the same protection and immunity as a Judge of the Court has in relation to proceedings in the Court.
- (5) A Deputy President of the ADT who has given consent under subsection (2) may, by instrument in writing, revoke the consent.
- (6) A declaration of an eligible ADT member under subsection (3) cannot be revoked by the Attorney General. However, the declaration of a Deputy President of the ADT as an eligible ADT member is revoked if the eligible ADT member revokes his or her consent in accordance with subsection (5) or ceases to be a Deputy President of the ADT.
- (7) To avoid doubt, the selection of an eligible ADT member to exercise any particular function conferred on eligible ADT members is not to be made by the Attorney General or other Minister of the Crown, and the exercise of that particular function

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is not subject to the control and direction of the Attorney General or other Minister of the Crown.

- No. 3 Page 5, clause 6 (1), line 29. Omit “Judge”. Insert instead “ADT member”.
- No. 4 Page 6, clause 7 (c), line 28. Omit “Judge”. Insert instead “ADT member”.
- No. 5 Page 6, clause 7 (c), line 30. Omit “Judge”. Insert instead “ADT member”.
- No. 6 Page 6, clause 8 (2), line 38. Omit “Judge”. Insert instead “ADT member”.
- No. 7 Page 7, clause 8 (4), line 7. Omit “Judge”. Insert instead “ADT member”.
- No. 8 Page 7, clause 8 (5), line 8. Omit “Judge”. Insert instead “ADT member”.
- No. 9 Page 7, clause 8 (6), line 10. Omit “Judge”. Insert instead “ADT member”.
- No. 10 Page 7, clause 9 heading, line 17. Omit “**Judge**”. Insert instead “**ADT member**”.
- No. 11 Page 7, clause 9 (1), line 19. Omit “Judge”. Insert instead “ADT member”.
- No. 12 Page 7, clause 9 (1), line 26. Omit “Judge”. Insert instead “ADT member”.
- No. 13 Page 7, clause 9 (2), line 29. Omit “Judge”. Insert instead “ADT member”.
- No. 14 Page 8, clause 9 (2) (f), line 7. Omit “Judge”. Insert instead “ADT member”.
- No. 15 Page 8, clause 9 (4), line 10. Omit “Judge”. Insert instead “ADT member”.
- No. 16 Page 8, clause 9 (4) (a), line 15. Omit “Judge”. Insert instead “ADT member”.
- No. 17 Page 8, clause 9 (4) (a), line 17. Omit “Judge”. Insert instead “ADT member”.
- No. 18 Page 9, clause 12 (1), line 2. Omit “Judge”. Insert instead “ADT member”.
- No. 19 Page 9, clause 12 (4), line 18. Omit “Judge”. Insert instead “ADT member”.
- No. 20 Page 9, clause 12 (7), lines 35–38. Omit all words on those lines. Insert instead:  
(7) If the eligible ADT member who made a declaration under this Part has died, has ceased to be an eligible ADT member or is absent, a power exercisable by that eligible ADT member under this section may be exercised by any other eligible ADT member.
- No. 21 Page 10, clause 13 (2), line 4. Omit “Judge”. Insert instead “ADT member”.
- No. 22 Page 10, clause 13 (2), line 5. Omit “Judge”. Insert instead “ADT member”.
- No. 23 Page 22, clause 28 (1) (a), line 4. Omit “Judge”. Insert instead “ADT member”.
- No. 24 Page 22, clause 28 (1) (a), line 6. Omit “Judge”. Insert instead “ADT member”.
- No. 25 Page 22, clause 28 (2), line 12. Omit “Judge”. Insert instead “ADT member”.
- No. 26 Page 22, clause 29 (1), line 37. Omit “Judge”. Insert instead “ADT member”.
- No. 27 Page 23, clause 29 (2), line 3. Omit “Judge”. Insert instead “ADT member”.
- No. 28 Page 30, Schedule 1.5, line 21. Omit “Judge”. Insert instead “ADT member”.
- No. 29 Page 30, Schedule 1.5, line 25. Omit “Judge”. Insert instead “ADT member”.