



New South Wales

# Law Enforcement (Powers and Responsibilities) Amendment (Sniffer Dogs—Repeal of Powers) Bill 2016

## 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 *Law Enforcement (Powers and Responsibilities) Act 2002* to repeal provisions relating to the use of sniffer dogs in carrying out drug detection and to make consequential amendments to other legislation.

## 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.

## Schedule 1 Amendments

**Schedule 1.1** repeals provisions of the *Law Enforcement (Powers and Responsibilities) Act 2002* relating to the power of police officers to use sniffer dogs to carry out general drug detection and to search a person for the purpose of detecting a drug offence.

**Schedule 1.2 and 1.3** make consequential amendments to the *Law Enforcement (Powers and Responsibilities) Regulation 2005* and the *Tattoo Parlours Act 2012*.



New South Wales

# Law Enforcement (Powers and Responsibilities) Amendment (Sniffer Dogs—Repeal of Powers) Bill 2016

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New South Wales

# Law Enforcement (Powers and Responsibilities) Amendment (Sniffer Dogs—Repeal of Powers) Bill 2016

No. , 2016

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## A Bill for

An Act to amend the *Law Enforcement (Powers and Responsibilities) Act 2002* to repeal provisions relating to the use of sniffer dogs in carrying out drug detection and to make consequential amendments to other legislation.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Law Enforcement (Powers and Responsibilities) Amendment (Sniffer Dogs—Repeal of Powers) Act 2016</i> .	3
	4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6

<b>Schedule 1</b>	<b>Amendments</b>	1
<b>1.1</b>	<b>Law Enforcement (Powers and Responsibilities) Act 2002 No 103</b>	2
[1]	<b>Section 59 Application of Division</b>	3
	Omit “and Division 2 of Part 11” from section 59 (3).	4
[2]	<b>Section 73 Expiry of warrant</b>	5
	Omit section 73 (4) (a).	6
[3]	<b>Section 73A Extension of warrant</b>	7
	Omit section 73A (1) (a).	8
[4]	<b>Part 11, Division 2 Use of drug detection dogs</b>	9
	Omit the Division.	10
<b>1.2</b>	<b>Law Enforcement (Powers and Responsibilities) Regulation 2005</b>	11
[1]	<b>Clause 4 Form of application for warrant or notice to produce</b>	12
	Omit clause 4 (1) (e).	13
[2]	<b>Clause 5 Determination of application for warrant or notice to produce—record by eligible issuing officer</b>	14
	Omit clause 5 (e).	15
[3]	<b>Clause 6 Form of warrant or notice to produce</b>	17
	Omit clause 6 (1) (f).	18
[4]	<b>Clause 10 Keeping and inspection of records</b>	19
	Omit clause 10 (2) (f) and (6) (c).	20
[5]	<b>Clause 10 (6) (a)</b>	21
	Omit “or (c)”.	22
[6]	<b>Schedule 1 Forms</b>	23
	Omit Forms 5 and 14.	24

<b>1.3 Tattoo Parlours Act 2012 No 32</b>	1
<b>[1] Section 31 Police powers of entry with dog</b>	2
Omit section 31 (a).	3
<b>[2] Section 31 (b)</b>	4
Omit “that Act”.	5
Insert instead “the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> ”.	6