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GRNS--The Greens

LEGISLATIVE COUNCIL

Sydney Public Reserves (Public Safety) Bill 2017

First print

Proposed amendments

No. 1 **Penalty for obstruction of police officer**

Page 4, line 30, clause 8 (3). Omit "20 penalty units". Insert instead "2 penalty units".

No. 2 **Return of seized things**

Page 4, clause 8 (4) and (5), lines 33–40. Omit all words on those lines. Insert instead:

- (a) if it is lawful for the person to have possession of the thing—must be returned to the person from whom it was seized, or
- (b) if it is not lawful for the person to have possession of the thing—may be disposed of in accordance with the directions of the Commissioner of Police.

No. 3 **Limits on exercise of police powers**

Page 5, clause 11, lines 9–16. Omit all words on those lines. Insert instead:

200 Limitation on exercise of police powers under this Act

- (1) This Act does not authorise a police officer to give a direction in relation to an industrial dispute.
- (2) This Act does not authorise a police officer to give a direction in relation to:
 - (a) an apparently genuine demonstration or protest, or
 - (b) a procession, or
 - (c) an organised assembly,except as provided by subsection (3) or (4).
- (3) A police officer is not precluded from giving a direction in relation to any such demonstration, protest, procession or assembly if the police officer believes on reasonable grounds that the direction is necessary to deal with a serious risk to the safety of the person to whom the direction is given or to any other person.
- (4) A police officer is not precluded from giving a direction in relation to any such demonstration, protest, procession or assembly that is obstructing traffic if:
 - (a) the demonstration, protest, procession or assembly is not an authorised public assembly for the purposes of Part 4 of the *Summary Offences Act 1988* or the demonstration, protest, procession or assembly is not being held substantially in accordance with any such authorisation, and

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- (b) the police officer in charge at the scene has authorised the giving of directions under this Act in relation to the demonstration, protest, procession or assembly, and
 - (c) the direction is limited to the persons who are obstructing traffic.

No. 4 **Expiry of Act**

Page 6. Insert after line 34:

17 Expiry of Act

This Act is repealed 2 years after the commencement of this Act.