

Crimes Legislation Amendment (Commencement) Bill 2003

Explanatory note

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

Overview of Bill

The object of this Bill is to postpone the commencement of amendments to the *Crimes Act 1900* and the *Search Warrants Act 1985* contained in the *Crimes Legislation Amendment Act 2002* relating to the detention of arrested persons for the purposes of investigations during the execution of search warrants and to the recording of the execution of search warrants.

Outline of provisions

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

Clause 2 provides that the proposed Act commences, or is taken to have commenced, on 30 April 2003.

Clause 3 amends the commencement proclamation under the *Crimes Legislation Amendment Act 2002*, published in the Gazette of 21 February 2003 at page 2196, to omit reference to the commencement on 1 May 2003 of

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Schedules 4 [2], [3], [4] (so far as it inserts section 356FA (2) (b) into the *Crimes Act 1900*) and [5] and 10 to the *Crimes Legislation Amendment Act 2002*.

Those provisions amend the *Crimes Act 1900* and the *Search Warrants Act 1985* with respect to the detention of arrested persons for the purposes of investigations during the execution of search warrants and to the recording of the execution of search warrants. The provisions are to be commenced at a later date by proclamation.

The commencement on 1 May 2003 of Schedule 4 [4] to the *Crimes Legislation Amendment Act 2002* (so far as it inserts section 356FA (1) and (2) (a) into the *Crimes Act 1900*) is unaffected. Those provisions relate to the continuous period of time for which a person may be detained.