

LEGISLATIVE COUNCIL

**Identification Legislation Amendment Bill 2011**

**First Print**

**Proposed amendments**

---

- No. 1 Page 3, Schedule 1 [2]–[4], lines 12–23. Omit all words on those lines.
- No. 2 Page 4, Schedule 1 [5], proposed section 19A (6), lines 30–33. Omit all words on those lines. Insert instead:
- lawfully required* means lawfully required to provide the identification or information concerned in circumstances where a failure or refusal to comply with a requirement of that kind constitutes an offence.
- No. 3 Page 6, Schedule 1 [7], proposed section 242B, line 3. Insert “**section 11 (2) and**” after “**operation of**”.
- No. 4 Page 6, Schedule 1 [7], proposed section 242B (1), line 7. Omit “that Division”. Insert instead “section 11 (2) and Division 4 of Part 3”.
- No. 5 Page 6, Schedule 1 [7], proposed section 242B (4), line 18. Insert “section 11 (2) and” after “be made to”.
- No. 6 Page 6, Schedule 1 [7], proposed section 242B (4), line 20. Omit “that Division”. Insert instead “section 11 (2) and Division 4 of Part 3”.
- No. 7 Page 6, Schedule 1 [7], proposed section 242B (5), line 22. Insert “section 11 (2) and” after “operation of”.
- No. 8 Page 10, Schedule 2.3 [3], proposed section 13A (1) (a), line 8. Omit all words on that line. Insert instead:
- (a) the officer believes on reasonable grounds that the person is carrying a restricted item or offensive implement, or
- No. 9 Pages 10 and 11, Schedule 2.3 [3], proposed section 13A (3), line 34 on page 10 to line 15 on page 11. Omit all words on those lines. Insert instead:
- (3) If a security officer makes a requirement of a person under subsection (1) and the person fails to comply with the requirement as soon as is reasonably practicable, the security officer may make the requirement again and, in that case, must:
- (a) warn the person that a failure to comply with the requirement as soon as is reasonably practicable may be an offence, and

---

(b) provide the person with the information referred to in section 20 (2) (a)–(c).

No. 10 Page 11, Schedule 2.3 [3], proposed section 13A (5), lines 22–27. Omit all words on those lines. Insert instead:

(5) If a security officer makes a requirement of a person in accordance with subsection (3), the person must comply with the requirement as soon as is reasonably practicable.

Maximum penalty (subsection (5)): 5 penalty units.

No. 11 Page 14, Schedule 2.6, proposed section 34 (1) (a), line 9. Insert “unless the authorised witness is satisfied that he or she knows the person without the need to see the person’s face” after “affidavit”.

**Note.** Amendments No 3 to 7 to be moved in the event that Amendment No 1 is not successfully moved.