



SUMMARY OF CONCLUSIONS

***LEGISLATION REVIEW DIGEST* No. 14 of 2006**

13 October 2006

Legislation Review Digest No. 14 of 2006 contains the Legislation Review Committee's consideration of bills introduced into Parliament in the sitting week beginning 26 September 2006 and any reports on regulations since the previous *Digest*.

The Bills reported on include:

- **Crimes (Forensic Procedures) Amendment Bill 2006;**
- **Freedom of Information Amendment (Improving Public Access to Information) Bill 2006*;**
- **Mount Panorama Motor Racing Amendment Bill 2006;**
- **National Parks and Wildlife Amendment (National Parks Volunteer Service) Bill 2006***
- **Sydney Water Catchment Management Amendment (Warragamba) Bill 2006**

Correspondence on Regulations includes:

- **Photo Card Regulation 2005 & Photo Card Amendment (Fee and Penalty Notice Offences) Regulation 2006; and**
- **Gaming Machine Amendment (Payment of Prize Money) Regulation 2006.**

SUMMARY OF CONCLUSIONS

SECTION A: Comment on Bills

1. Crimes (Forensic Procedures) Amendment Bill 2006

Right to personal physical integrity: Part 7A

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| <p>14. The Committee notes that the Bill trespasses on a former offender's right to physical integrity by providing for forensic procedures to be conducted on the person without the person's consent.</p> |
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| <p>15. The Committee notes that non-intimate forensic procedures can only be conducted without consent on the order of a police officer if the former offender is charged with a further prescribed offence and intimate procedures can only be conducted without consent by order of a court.</p> <p>16. Having regard to the limitations on the circumstances in which forensic procedures can be conducted on former offenders and the safeguards in the Bill, the Committee does not consider that the Bill trespasses unduly on personal rights and liberties.</p> |
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2. Freedom of Information Amendment (Improving Public Access to Information) Bill 2006*

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| <p>3. The Committee has not identified any issues under s 8A(1)(b) of the <i>Legislation Review Act 1987</i>.</p> |
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3. Mount Panorama Motor Racing Amendment Bill 2006

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| <p>3. The Committee has not identified any issues under s 8A(1)(b) of the <i>Legislation Review Act 1987</i>.</p> |
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4. National Parks and Wildlife Amendment (National Parks Volunteer Service) Bill 2006*

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| <p>3. The Committee has not identified any issues under s 8A(1)(b) of the <i>Legislation Review Act 1987</i>.</p> |
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5. Sydney Water Catchment Management Amendment (Warragamba) Bill 2006

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| <p>3. The Committee has not identified any issues under s 8A(1)(b) of the <i>Legislation Review Act 1987</i>.</p> |
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The Legislation Review Committee reports on whether each bill introduced into Parliament:

- (i) trespasses unduly on personal rights and liberties, or
- (ii) makes rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers, or
- (iii) makes rights, liberties or obligations unduly dependent upon non-reviewable decisions, or
- (iv) inappropriately delegates legislative powers, or
- (v) insufficiently subjects the exercise of legislative power to parliamentary scrutiny.

Those bills marked with an * are sponsored by Private Members.

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02 9230 3418 or legislation.review@parliament.nsw.gov.au.

Allan Shearan MP
Chair