



TASMANIA

**AUSTRALIAN CRIME COMMISSION
LEGISLATION (MISCELLANEOUS
AMENDMENTS) ACT 2018**

No. 28 of 2018

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**AUSTRALIAN CRIME COMMISSION
LEGISLATION (MISCELLANEOUS
AMENDMENTS) ACT 2018**

No. 28 of 2018

An Act to amend the *Annulled Convictions Act 2003*, the *Firearms Act 1996*, the *Forensic Procedures Act 2000* and the *Health Practitioner Regulation National Law (Tasmania) Act 2010*

[Royal Assent 10 December 2018]

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Australian Crime Commission Legislation (Miscellaneous Amendments) Act 2018*.

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018
Act No. 28 of 2018*

s. 2

Part 1 – Preliminary

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018
Act No. 28 of 2018*

Part 2 – Annulled Convictions Act 2003 Amended

s. 3

**PART 2 – ANNULLED CONVICTIONS ACT 2003
AMENDED**

3. Principal Act

In this Part, the *Annulled Convictions Act 2003**
is referred to as the Principal Act.

4. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by
omitting paragraph (d) from the definition of
Justice Agency.

5. Schedule 1 amended (Non-exempt applications)

Schedule 1 to the Principal Act is amended by
omitting item 3 from Part 2.

*No. 46 of 2003

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018
Act No. 28 of 2018*

s. 6

Part 3 – Firearms Act 1996 Amended

PART 3 – FIREARMS ACT 1996 AMENDED

6. Principal Act

In this Part, the *Firearms Act 1996** is referred to as the Principal Act.

7. Section 83 amended (Register of firearms)

Section 83 of the Principal Act is amended as follows:

- (a) by omitting from subsection (3)(a) “CrimTrac” and substituting “the Australian Crime Commission”;
- (b) by omitting the definition of *CrimTrac* from subsection (4) and substituting the following definition:

Australian Crime Commission means the Australian Crime Commission established by section 7 of the *Australian Crime Commission Act 2002* of the Commonwealth.

*No. 23 of 1996

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018*
Act No. 28 of 2018

Part 4 – Forensic Procedures Act 2000 Amended

s. 8

**PART 4 – FORENSIC PROCEDURES ACT 2000
AMENDED**

8. Principal Act

In this Part, the *Forensic Procedures Act 2000**
is referred to as the Principal Act.

9. Section 58 amended (Database information)

Section 58 of the Principal Act is amended as
follows:

- (a) by omitting paragraph (a) from subsection (1A) and substituting the following paragraph:
 - (a) the Australian Crime Commission; and
- (b) by inserting the following subsections after subsection (3):
 - (4) Any arrangement entered into with CrimTrac under subsection (1A)(a) before the day on which the *Australian Crime Commission Legislation (Miscellaneous Amendments) Act 2018* commences and in force on that day, is taken to be an arrangement entered into with the

*No. 101 of 2000

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018
Act No. 28 of 2018*

s. 9

Part 4 – Forensic Procedures Act 2000 Amended

Australian Crime Commission
under subsection (1A)(a).

(5) In this section –

Australian Crime Commission
means the Australian
Crime Commission
established by section 7 of
the *Australian Crime
Commission Act 2002* of
the Commonwealth;

CrimTrac means the CrimTrac
Agency established on
1 July 2000 as an
Executive Agency by the
Governor-General of the
Commonwealth under
section 65 of the *Public
Service Act 1999* of the
Commonwealth.

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018
Act No. 28 of 2018*

Part 5 – Health Practitioner Regulation National Law (Tasmania) Act 2010
Amended

s. 10

**PART 5 – HEALTH PRACTITIONER REGULATION
NATIONAL LAW (TASMANIA) ACT 2010 AMENDED**

10. Principal Act

In this Part, the *Health Practitioner Regulation National Law (Tasmania) Act 2010** is referred to as the Principal Act.

11. Section 12 amended (Police commissioner may give criminal history information)

Section 12 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(b) “CrimTrac” first occurring and substituting “the Australian Crime Commission”;
- (b) by omitting from subsection (1)(b) “CrimTrac” second occurring and substituting “the Australian Crime Commission”;
- (c) by inserting the following definition before the definition of *criminal history information* in subsection (2):

Australian Crime Commission means
the Australian Crime
Commission established by

*No. 2 of 2010

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018*
Act No. 28 of 2018

s. 11 Part 5 – Health Practitioner Regulation National Law (Tasmania) Act 2010
Amended

section 7 of the *Australian Crime
Commission Act 2002* of the
Commonwealth;

*Australian Crime Commission Legislation (Miscellaneous
Amendments) Act 2018
Act No. 28 of 2018*

Part 6 – Repeal of Act

s. 12

PART 6 – REPEAL OF ACT

12. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.

*[Second reading presentation speech made in:–
House of Assembly on 18 September 2018
Legislative Council on 1 November 2018]*