

House of Assembly—No 202

As laid on the table and read a first time, 10 May 2017

South Australia

**Statutes Amendment (National Policing
Information Systems and Services) Bill 2017**

A BILL FOR

An Act to amend the *Children's Protection Act 1993*; the *Criminal Law (Forensic Procedures) Act 2007*; the *Disability Services Act 1993*; the *Spent Convictions Act 2009*; and for other purposes.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *Children's Protection Act 1993*

- 3 Amendment of section 8BA—Obligations of certain performers of prescribed functions in respect of relevant history

Part 3—Amendment of *Criminal Law (Forensic Procedures) Act 2007*

- 4 Amendment of section 41—Commissioner may maintain DNA database system

Part 4—Amendment of *Disability Services Act 1993*

- 5 Amendment of section 5C—Obligations of certain performers of prescribed functions in respect of relevant history

Part 5—Amendment of *Spent Convictions Act 2009*

- 6 Amendment of section 3—Preliminary

Schedule 1—Transitional provisions

- 1 Preliminary
 - 2 Transitional provision—*Children's Protection Act 1993*
 - 3 Transitional provision—*Disability Services Act 1993*
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Statutes Amendment (National Policing Information Systems and Services) Act 2017*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Children's Protection Act 1993*

- 10 **3—Amendment of section 8BA—Obligations of certain performers of prescribed functions in respect of relevant history**

- (1) Section 8BA(3)(b)—delete "CrimTrac" and substitute:
the ACC

- (2) Section 8BA(6), definition of *CrimTrac*—delete the definition and substitute:

ACC means the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth;

Part 3—Amendment of *Criminal Law (Forensic Procedures) Act 2007*

4—Amendment of section 41—Commissioner may maintain DNA database system

- (1) Section 41(2)(b)—delete "CrimTrac" wherever occurring and substitute in each case:
the ACC

- (2) Section 41(3), definition of *CrimTrac*—delete the definition and substitute:

ACC means the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth.

Part 4—Amendment of *Disability Services Act 1993*

5—Amendment of section 5C—Obligations of certain performers of prescribed functions in respect of relevant history

- (1) Section 5C(3)(b)—delete "CrimTrac" and substitute:
the ACC

- (2) Section 5C(6), definition of *CrimTrac*—delete the definition and substitute:

ACC means the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth;

Part 5—Amendment of *Spent Convictions Act 2009*

6—Amendment of section 3—Preliminary

Section 3(1), definition of *justice agency*, (e)—delete paragraph (e)

Schedule 1—Transitional provisions

1—Preliminary

In this Schedule—

ACC means the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth;

CrimTrac means the CrimTrac Agency established under the *Public Service Act 1999* of the Commonwealth.

2—Transitional provision—*Children's Protection Act 1993*

5 A criminal history report prepared by CrimTrac or a CrimTrac accredited agency or broker will, for the purposes of section 8BA of the *Children's Protection Act 1993* as in force after the commencement of Part 2 of this Act, be taken to be a criminal history report prepared by the ACC.

3—Transitional provision—*Disability Services Act 1993*

10 A criminal history report prepared by CrimTrac or a CrimTrac accredited agency or broker will, for the purposes of section 5C of the *Disability Services Act 1993* as in force after the commencement of Part 4 of this Act, be taken to be a criminal history report prepared by the ACC.