

**Legislative Council—No 81**

As introduced and read a first time, 6 December 2006

South Australia

**Statutes Amendment (Review of Terrorism  
Legislation) Bill 2006**

A BILL FOR

An Act to amend the *Terrorism (Commonwealth Powers) Act 2002*, the *Terrorism (Police Powers) Act 2005* and the *Terrorism (Preventative Detention) Act 2005*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Statutes Amendment (Review of Terrorism Legislation) Act 2006*.

#### 5 2—Commencement

This Act will come into operation 4 weeks after the day on which this Act is assented to by the Governor.

#### 3—Amendment provisions

10 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 *Terrorism (Commonwealth Powers) Act 2002*

#### 4—Insertion of section 4A

After section 4 insert:

#### 15 4A—Review of Act

- (1) Subject to this section, the Minister must cause the operation of this Act to be reviewed as soon as practicable after the commencement of the first session of each new Parliament following a general election of members of the House of Assembly.

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- (2) The first review must be conducted within 2 years of the commencement of this section.
- (3) The purpose of a review is to report on—
- (a) the extent to which it is considered necessary and appropriate to continue the references under this Act; and
  - (b) whether or not it is appropriate for the references to be terminated; and
  - (c) any other matters determined by the Minister to be relevant to a review of this Act.
- (4) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 sitting days after the report is received by the Minister.

### **Part 3—Amendment of *Terrorism (Police Powers) Act 2005***

#### **5—Amendment of section 30—Review of Act**

15 Section 30(1) and (2)—delete subsections (1) and (2) and substitute:

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- (1) Subject to this section, the Minister must cause the operation of this Act to be reviewed as soon as practicable after the commencement of the first session of each new Parliament following a general election of members of the House of Assembly.
- (2) The first review must be conducted within 2 years of the commencement of the *Statutes Amendment (Review of Terrorism Legislation) Act 2006*.
- (2a) The purpose of a review is to report on—
- 25 (a) the extent to which the exercise of powers under this Act have contributed to the prevention and investigation of terrorist acts; and
  - (b) whether the legislative provisions under this Act remain necessary or appropriate in relation to the prevention and investigation of terrorist acts; and
  - 30 (c) any other matters determined by the Minister to be relevant to a review of this Act.

## **Part 4—Amendment of *Terrorism (Preventative Detention) Act 2005***

### **6—Insertion of section 51A**

After section 51 insert:

#### **51A—Review of Act**

- (1) Subject to this section, the Minister must cause the operation of this Act to be reviewed as soon as practicable after the commencement of the first session of each new Parliament following a general election of members of the House of Assembly.
- (2) The first review must be conducted within 2 years of the commencement of this section.
- (3) The purpose of a review is to report on—
  - (a) the extent to which the objects of this Act are being achieved; and
  - (b) whether the legislative provisions under this Act remain necessary or appropriate for achieving those objects; and
  - (c) any other matters determined by the Minister to be relevant to a review of this Act.
- (4) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 12 days after receiving the report.