



AUSTRALIAN CAPITAL TERRITORY

Crimes (Amendment) Act (No. 5) 1991

No. 122 of 1991

An Act to amend the Crimes Act, 1900 of the State of New South Wales in its application in the Territory

[Notified in ACT Gazette S162: 10 January 1992]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Crimes (Amendment) Act (No. 5) 1991*.

Crimes Act

2. In this Act, “Crimes Act” means the Crimes Act, 1900 of the State of New South Wales in its application in the Territory.

Power to search and medically examine a person and take fingerprints etc.

3. Section 353A of the Crimes Act is amended by omitting subsection (3) and substituting the following subsections:

“(3) When a person is in lawful custody at a police station for an offence, the police officer in charge at that station may, if satisfied that it is necessary for the identification of the person for the purpose of any investigation, or proceedings that may be instituted, in respect of—

- (a) that offence; or
- (b) another offence that the person is suspected on reasonable grounds of having committed;

take or cause to be taken such particulars as are necessary for that identification including fingerprints, handprints or photographs.

“(4) Nothing in subsection (3) authorises action that would contravene section 36 of the *Children’s Services Act 1986*.”.

[Presentation speech made in Assembly on 16 October 1991]