

1991
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Collaery)

Crimes (Amendment) Bill (No. 5) 1991

**A BILL
FOR**

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

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

Short title

- 5 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.

10 **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:

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“(3) When a person who is of or above the age of 14 years 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.

“(4) Subsection (1) does not authorise the taking of fingerprints, handprints or a photograph of a person under the age of 14 years without the written consent of a parent or guardian of the person.”