

2002

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY**

**CUSTODIAL ESCORTS REGULATIONS 2002
Subordinate Law No SL 2002-11**

EXPLANATORY STATEMENT

Custodial Escorts Regulations 2002

Overview

The purpose of these regulations is to prescribe the guidelines under which escort officers (custodial officers) can perform searches.

Notes on clauses

1. Name of Regulations

This clause states the name of the regulations as *Custodial Escorts Regulations 2002*.

2. Commencement

This clause stipulates that the regulations commence on their notification day.

3. Dictionary

This clause defines the dictionary as part of the regulations.

4. Who may conduct searches

This clause specifies that searches can only be conducted by an escort who is a custodial officer.

5. Power to conduct searches

This clause specifies that an escort must conduct a search of a person in the escort's custody and that any seizable item found in the course of conducting the search, must be seized by the escort.

6. Rules for conduct of searches

The purpose of this clause is to provide an unequivocal set of guidelines that constitute the parameters under which a search may be conducted.

References made in relation to the conduct of searches on a child or young person are made with reference to the *Children and Young People Act 1999*.

7. Safekeeping of things seized

The purpose of this clause is to provide guidelines for the keeping of seized items. It prescribes the process of dealing with the seizure of prohibit items or

prohibited weapons and the destruction of perishable, contaminated or items considered to pose a risk to the health or safety of a person.

8. Record

This clause sets out the requirements for the recording of seized items. The information relevant to the recording of seized items are the date, time and place of search and a description of the item. It also prescribes the requirement to document the manner, date and reason for the destruction of a seized item(s). If the item is given to the police, details for the reason of providing the item to the police are also be recorded.

9. Approved Forms

This clause details that the administrator may approve forms under this regulation. Any approved form under this regulation is a notifiable instrument and must be notified under the *Legislation Act 2001*.