



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## SPECIAL SUPPLEMENT



New South Wales

### Proclamation

under the

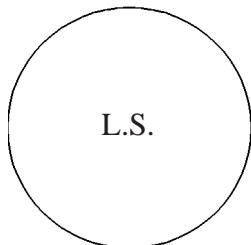
Police Amendment (Miscellaneous) Act 2006 No 94

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Police Amendment (Miscellaneous) Act 2006*, do, by this my Proclamation, appoint 1 February 2007 as the day on which that Act (except for Schedule 2 [21]–[30] and Schedule 3.25 [2], [3], [5]–[10], [12] and [14]) commences.

Signed and sealed at Sydney, this 31st day of January 2007.

By Her Excellency's Command,



L.S.

JOHN WATKINS, M.P.,  
Minister for Police

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence all of the provisions of the Police Amendment (Miscellaneous) Act 2006, except for Schedule 2 [21]–[30] and Schedule 3.25 [2], [3], [5]–[10], [12] and [14]. Those amendments, which deal with the abolition of the current distinction between Category 1 complaints about police officers (which are investigated by the Police Integrity Commission) and Category 2 complaints about police officers (which are investigated by the Ombudsman or the Commissioner), are intended to be commenced at a later date.



New South Wales

## Police Amendment (Drug and Alcohol Testing) Regulation 2007

under the

Police Act 1990

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Police Act 1990*.

JOHN WATKINS, M.P.,  
Minister for Police

### Explanatory note

The object of this Regulation is to amend the *Police Regulation 2000* (***the Regulation***) as a consequence of certain amendments made to the *Police Act 1990* by the *Police Amendment (Miscellaneous) Act 2006*. The amendments to the Regulation:

- (a) update Part 5 of the Regulation with respect to the use of steroids by police officers, and
- (b) provide for the accreditation of testing organisations, and
- (c) update references to an Australian Standard, and
- (d) apply confidentiality provisions to students of policing, and
- (e) provide for the renaming of “NSW Police” to the “NSW Police Force”.

This Regulation is made under the *Police Act 1990*, including sections 211A, 211AA and 219 (the general regulation-making power).

Clause 1            Police Amendment (Drug and Alcohol Testing) Regulation 2007

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## **Police Amendment (Drug and Alcohol Testing) Regulation 2007**

under the

Police Act 1990

### **1 Name of Regulation**

This Regulation is the *Police Amendment (Drug and Alcohol Testing) Regulation 2007*.

### **2 Commencement**

This Regulation commences on 1 February 2007.

### **3 Amendment of Police Regulation 2000**

The *Police Regulation 2000* is amended as set out in Schedule 1.

Police Amendment (Drug and Alcohol Testing) Regulation 2007

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

**[1] The whole Regulation**

Omit “NSW Police” wherever occurring (except for the definitions of *NSW Police* and *Police Code of Conduct* in clause 3 and clauses 46, 52, 54 and 56).

Insert instead “the NSW Police Force”.

**[2] Clause 3 Definitions**

Omit the definition of *NSW Police*. Insert instead:

*NSW Police Force* means the NSW Police Force established by the Act.

**[3] Clause 46 Confidential information**

Omit “of NSW Police” wherever occurring in clause 46 (1) and (2).

Insert instead “of the NSW Police Force or a student of policing”.

**[4] Clause 46 (2)**

Omit “NSW Police business”. Insert instead “NSW Police Force business”.

**[5] Clause 46 (2)**

Omit “outside NSW Police”. Insert instead “outside the NSW Police Force”.

**[6] Part 5**

Insert “or steroids” after “prohibited drugs” in the heading to the Part.

**[7] Clause 47 Definitions**

Omit “the Government of New South Wales, or by an area health service,” from the definition of *analyst*.

Insert instead “an organisation accredited by the National Association of Testing Authorities, Australia for the purposes of AS 4308”.

**[8] Clause 47, definition of “AS 4308”**

Omit “1995”. Insert instead “2001”.

**[9] Clause 47, definition of “AS 4308”**

Omit “1 September 2000”. Insert instead “1 February 2007”.

## Police Amendment (Drug and Alcohol Testing) Regulation 2007

## Schedule 1 Amendments

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**[10] Clause 47**

Insert in alphabetical order:

*steroid* means anabolic and androgenic steroidal agents included in Schedule 4 of the Poisons List under the *Poisons and Therapeutic Goods Act 1966*.

**[11] Clauses 48 (4) (a) and (b) and 62 (a)**

Insert “or steroids” after “prohibited drugs” wherever occurring.

**[12] Clause 49 Code of behaviour**

Insert after subclause (1):

- (1A) A member of the NSW Police Force must not use any steroid unless the police officer’s use of the steroid is in accordance with a prescription of a medical practitioner.

**[13] Clauses 49 (6), 54 (1) (a), 55 (1) (a), 56 (2), 60 (1) and (4), 62 (a), 63 (1) (a) and 64 (1)**

Insert “or 211AA” after “section 211A” wherever occurring.

**[14] Clauses 52 (3) (b), 54 (3) (b) and 56 (2) (a)**

Omit “NSW Police” wherever occurring. Insert instead “NSW Police Force”.

**[15] Clauses 54 (1) (a), 55 (1) (a), 56 (2), 58 (3) (b), 59 (1) (a), 64 (1) and (5) and 65**

Insert “or steroid” after “prohibited drug” wherever occurring.

**[16] Clause 58 Special follow-up testing**

Omit clause 58 (2). Insert instead:

- (2) Special testing must occur at least once a year. The police officer is not to be given notice of the time of testing.
- (2A) Special testing may involve any one or more of the following in accordance with this Part:
- (a) breath testing,
  - (b) breath analysis,
  - (c) a requirement to supply a sample of hair,
  - (d) a requirement to supply a sample of urine.

Police Amendment (Drug and Alcohol Testing) Regulation 2007

Amendments

Schedule 1

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**[17] Clauses 63 (4) (b) and 64 (4)**

Omit “New South Wales Department of Health” wherever occurring.

Insert instead “National Association of Testing Authorities, Australia for the purposes of AS 4308”.

**[18] Clause 64 (2)**

Insert “or a steroid or steroids” after “or drugs”.

**NATIONAL PARKS AND WILDLIFE ACT, 1974**

Notice of Reservation of a National Park, Regional Park and State Conservation Area

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council,

- (a) reserve the land described in the Schedule below as national park, regional park and state conservation area respectively, being land that the Minister administering the National Parks and Wildlife Act 1974, is satisfied is of sufficient natural conservation value to justify their reservation; and
- (b) assign the land described in the Schedule below under the headings Worimi National Park, Worimi Regional Park and Worimi State Conservation Area the names Worimi National Park, Worimi Regional Park and Worimi State Conservation Area, respectively, being names recommended by the Aboriginal negotiating panel appointed in accordance with s.71G of the National Parks and Wildlife Act.

This notice is published pursuant to Part 4A, Division 4 of the National Parks and Wildlife Act, and in particular s.71U, as applied by s.71AB(2) of that Division, and s.71Y.

Signed and sealed at Sydney this 24th day of January, 2007.

MARIE BASHIR,  
Governor,

By Her Excellency's Command,

BOB DEBUS, M.P.,  
Minister for the Environment

GOD SAVE THE QUEEN

—————  
SCHEDULE

*Land District – Newcastle;  
LGA – Port Stephens*

**WORIMI NATIONAL PARK**

County Gloucester, Parishes Tomaree & Stowell, about 1534 hectares, being lot 229 DP1097995 and that part of lot 592 DP1097992 north of a line bearing 65 degrees 29 minutes 35 seconds magnetic from the most northerly northeast corner of lot 218 DP1044608 to its intersection with lot 1 DP446235.

**WORIMI REGIONAL PARK**

County Gloucester, Parishes Tomaree & Stowell, about 318 hectares, being that part of lot 592 DP1097992 south of a line bearing 65 degrees 29 minutes 35 seconds magnetic from the most northerly northeast corner of lot 218 DP1044608 to its intersection with lot 1 DP446235.

**WORIMI STATE CONSERVATION AREA**

County Gloucester, Parish Stowell, 706.0 hectares, being lots 224 & 225 DP 1097995 and lot 20 DP 828848.

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