

EXPLANATORY STATEMENT

STATUTORY RULES 1986 NO. 29

NATIONAL CRIME AUTHORITY REGULATIONS (AMENDMENT)

ISSUED BY THE SPECIAL MINISTER OF STATE

Following the establishment of the National Crime Authority, certain regulations were made on 24 January 1985 to enable the Authority to undertake investigations using its coercive powers. The Senate Standing Committee on Regulations and Ordinances has proposed certain amendments to those regulations, agreed to by the Government.

The proposed Regulations will:

- . amend paragraph 7(1)(a)(iii) and sub-section 7(2) of the Regulations to prescribe that a direction for substituted service of a summons be given by a Judge in Chambers rather than by a Member or Acting Member of the Authority, as presently prescribed;
- . substitute the words "is or is reasonably believed to be" for the word "apparently" where occurring in subparagraphs 7(i)(a)(ii) and 7(1)(b)(i);
- . add a new sub-regulation 7(3) to define "Judge" as a Judge of the Federal Court or a court of a State or Territory; and
- . repeal Regulation 4 of the Principal Regulations to remove the requirement to use Form 2 in Schedule 1 for an order to show cause why the passport of a witness should not be delivered to the Authority and omit Form 2 from Schedule 1.

It is proposed to introduce the new Regulations with effect from the date of gazettal.

S.R. 41/86