

Australian Federal Police Regulations (Amendment) 1998 No. 232

Explanatory Statement

Statutory Rules 1998 No. 232

Issued by the Authority of the Minister for Justice

Australian Federal Police Act 1979

Australian Federal Police Regulations (Amendment)

Introduction

Department of Finance guidelines require agencies to develop and maintain a schedule of chargeable services. In late 1997, the AFP reviewed their charges for services and as a result requested that the AFP regulations be amended.

2. Section 70 and in particular sub sections 70 (c) and (d) of the AFP Act authorise the making of regulations to provide fees for police services.

3. The amending regulations prescribe increases in chargeable fees and replace Schedule 6 (Fees). The new schedule is largely concerned with updating the level of fees charged since the previous review while making minor additions to the structure of the fees by way of the deletion of an unnecessary item and minor changes to the wording of existing items.

4. Details of the amendments are:

Regulation 2 (Interpretation)

5. AFP is defined in sub reg 2.1 as meaning Australian Federal Police.

6. The wording of the definition of 'cost to the AFP for use of the member's time' is amended to delete 'the' wherever it appears in the phrase.

7. The definition of 'cost to AFP for use of the member's time' has been amended also by omitting 159.4% and substituting 138.6%. The reduction in the oncost percentage for the use of a member's time is due to reductions in several underlying components of this percentage (namely superannuation, property operating expenses, compensation and legal costs and corporate support).

8. As there is no regulation 47, the reference to 'or 47' twice occurring in regulation 48 has been deleted.

Schedule 6 (Fees)

9. Schedule 6 (Fees) has been omitted and replaced with a new schedule which updates the fees and also updates and improves on the drafting of the items.

10. Old item 2 has been omitted as it is encompassed in item 1.

11. New item 4, 'searching a set of fingerprints against AFP records and providing a report of the search result', has been included as a specific service.

12. New item 10 updates the list of reports provided by the AFP and the fees charged. Medical reports have become a new separate item (see items 26 and 27) as has lost property reports (see item 11).
13. Items 18 to 24 have been redrafted in plain English.
14. New item 25 involves undertaking a medical examination and preparing a medical report. This is a service which is occasionally required from the AFP medical area and which parallels services provided in private medical practice. The proposed fee for this service is based on the schedule from Health Services Australia, a national health and advisory service (formerly the Australian Government Health Services).
15. The amending regulations commenced on gazettal.