



# Australian Federal Police Amendment Regulations 2007 (No. 1)<sup>1</sup>

## Select Legislative Instrument 2007 No. 264

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I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Australian Federal Police Act 1979*.

Dated 6 September 2007

P. M. JEFFERY  
Governor-General

By His Excellency's Command

DAVID ALBERT LLOYD JOHNSTON  
Minister for Justice and Customs

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**1 Name of Regulations**

These Regulations are the *Australian Federal Police Amendment Regulations 2007 (No. 1)*.

**2 Commencement**

These Regulations commence on the day after they are registered.

**3 Amendment of *Australian Federal Police Regulations 1979***

Schedule 1 amends the *Australian Federal Police Regulations 1979*.

**Schedule 1 Amendments**

(regulation 3)

**[1] Subregulation 13K (1)**

*substitute*

- (1) Subregulation (1A) applies to all records that indicate the presence of alcohol or prohibited drugs when tested.
- (1A) All records, including body samples, relevant to a breath test, blood test or prohibited drug test conducted for section 40M or 40N of the Act must:
  - (a) for a body sample — be kept in a secure location and destroyed no later than 2 years from the day that the test was conducted; or
  - (b) for any other record — be kept in a secure location and destroyed as soon as practicable after the AFP employee or special member to whom the record relates ceases, for any reason, to be an AFP employee or special member.

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**[2] After subregulation 13K (2)**

*insert*

- (3) All records that do not indicate the presence of alcohol or prohibited drugs when tested must be destroyed no later than 28 days after the day the test was conducted.

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**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See [www.frli.gov.au](http://www.frli.gov.au).