



Legislation (Deferral of Sunsetting—Australian Crime Commission Regulations) Certificate 2017

I, George Brandis QC, Attorney-General, make the following certificate.

Dated 19 December 2017

George Brandis QC
Attorney-General

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1 Name

This instrument is the *Legislation (Deferral of Sunsetting—Australian Crime Commission Regulations) Certificate 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraph 51(1)(c) of the *Legislation Act 2003*.

4 Definitions

In this instrument:

Legislation Act means the *Legislation Act 2003*.

Regulations means the *Australian Crime Commission Regulations 2002*.

5 Statement of reasons for issue of certificate

For the purposes of paragraph 51(2)(a) of the *Legislation Act*, this section sets out the statement of the reasons for the issue of this certificate.

Statement of reasons

I am satisfied that the Regulations would, apart from the operation of Part 4 of Chapter 3 of the *Legislation Act*, be likely to cease to be in force within 12 months after the sunseting day for the Regulations.

The Regulations prescribe a number of matters related to the operations of the Australian Criminal Intelligence Commission (ACIC), including the disclosure of ACIC information and national policing information, relevant allowances and procedural requirements for warrants and summons. The Regulations define

Section 6 Deferral of sunseting of the Regulations

‘national policing information’, which is a key term that underpins the ability of the agency to perform national policing information functions.

In July 2017, the Government announced the creation of the new Home Affairs portfolio, incorporating Australia’s immigration, border protection and domestic security agencies. One of the operational agencies to be included in the new portfolio is the ACIC.

The Regulations are due to sunset on 1 April 2018. A 12 month deferral of the sunseting day for the Regulations will avoid the need to remake them in substantially the same form for the short period before the changes associated with the creation of the new Home Affairs Portfolio are settled, and the Regulations cease to be in force as a result of their repeal and remaking.

6 Deferral of sunseting of the Regulations

The Regulations, for which the sunseting day is 1 April 2018, are taken to cease to be in force under section 51 of the Legislation Act on 1 April 2019.

7 Repeal of this instrument

This instrument is repealed at the start of 2 April 2019.