

**Authorised Version**

**Crimes (Controlled Operations) Regulations 2018**

**S.R. No. 160/2018**

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## Authorised Version

STATUTORY RULES 2018

S.R. No. 160/2018

*Crimes (Controlled Operations) Act 2004*

### **Crimes (Controlled Operations) Regulations 2018**

The Governor in Council, on the recommendation of the Attorney-General, makes the following Regulations:

Dated: 16 October 2018

Responsible Minister:

MARTIN PAKULA  
Attorney-General

ANDREW ROBINSON  
Clerk of the Executive Council

#### **1 Objective**

The objective of these Regulations is to prescribe matters for the purposes of the **Crimes (Controlled Operations) Act 2004**.

#### **2 Authorising provision**

These Regulations are made under section 47 of the **Crimes (Controlled Operations) Act 2004**.

#### **3 Commencement**

These Regulations come into operation on 26 October 2018.

#### **4 Revocations**

The following Regulations are **revoked**—

- (a) the Crimes (Controlled Operations) Regulations 2008<sup>1</sup>;

- (b) the Crimes (Controlled Operations) Amendment Regulations 2013<sup>2</sup>;
- (c) the Crimes (Controlled Operations) Amendment (Corresponding Laws) Regulations 2013<sup>3</sup>;
- (d) the Crimes (Controlled Operations) Further Amendment Regulations 2013<sup>4</sup>.

## 5 Definitions

In these Regulations—

*Chief Executive Officer* means the person appointed under section 33 of the **Independent Broad-based Anti-corruption Commission Act 2011**;

*Deputy Commissioner* has the same meaning as it has in the **Independent Broad-based Anti-corruption Commission Act 2011**;

*IBAC Officer* has the same meaning as it has in the **Independent Broad-based Anti-corruption Commission Act 2011**.

## 6 Corresponding laws

For the purposes of the definition of *corresponding law* in section 3 of the **Crimes (Controlled Operations) Act 2004**, the following are corresponding laws—

- (a) Law Enforcement (Controlled Operations) Act 1997 of New South Wales;
- (b) Police Powers (Controlled Operations) Act 2006 of Tasmania;
- (c) Part 2 of the Criminal Investigation (Covert Powers) Act 2012 of Western Australia;
- (d) Crimes (Controlled Operations) Act 2008 of the Australian Capital Territory;

- (e) Chapter 11 of the Police Powers and Responsibilities Act 2000 of Queensland;
- (f) Part IAB of the Crimes Act 1914 of the Commonwealth.

#### **7 IBAC law enforcement officers**

For the purposes of paragraph (b) of the definition of *law enforcement officer* in section 3 of the **Crimes (Controlled Operations) Act 2004**, the following positions and classes of employees are prescribed—

- (a) the position of Commissioner;
- (b) the position of Deputy Commissioner;
- (c) the position of Chief Executive Officer;
- (d) IBAC Officers classified as Executive Officers;
- (e) IBAC Officers classified as non-executive employees;
- (f) police officers engaged by the IBAC under section 36 of the **Independent Broad-based Anti-corruption Commission Act 2011**;
- (g) members of the police force or police service (however described) of another jurisdiction who are engaged by the IBAC under section 36 of the **Independent Broad-based Anti-corruption Commission Act 2011**.

#### **8 Prescribed IBAC Officers**

For the purposes of the definition of *prescribed IBAC Officer* in section 3 of the **Crimes (Controlled Operations) Act 2004**, the following positions are prescribed—

- (a) the position of Deputy Commissioner;
- (b) the position of Chief Executive Officer;

- (c) IBAC Officers classified as Executive Officers.

## **9 Prescribed senior officers**

For the purposes of the definition of *senior officer* in section 45(2) of the **Crimes (Controlled Operations) Act 2004**, the following positions and classes of employees are prescribed—

- (a) the position of Deputy Commissioner;
  - (b) the position of Chief Executive Officer;
  - (c) IBAC Officers classified as Executive Officers.
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## **Endnotes**

<sup>1</sup> Reg. 4(a): S.R. No. 127/2008 as amended by S.R. Nos 11/2013, 91/2013 and 123/2013.

<sup>2</sup> Reg. 4(b): S.R. No. 11/2013.

<sup>3</sup> Reg. 4(c): S.R. No. 91/2013.

<sup>4</sup> Reg. 4(d): S.R. No. 123/2013.