

LEGISLATIVE COUNCIL

JUSTICE AND ROAD LEGISLATION AMENDMENT (LAW ENFORCEMENT)
BILL 2007

(Amendments to be proposed in Committee by Ms PENNICUIK)

1. Clause 7, page 9, after line 10 insert—
 - "(3) The Chief Commissioner must not make an authorisation under subsection (1) unless the person photographed was, at the time at which the photograph was taken, notified in writing—
 - (a) that the photograph may be the subject of an authorisation under this Part; and
 - (b) of the Chief Commissioner's duties under this Part; and
 - (c) of the person's rights under this Part."
2. Clause 7, page 9, line 11, omit "(3)" and insert "(4)".
3. Clause 7, page 9, lines 15 to 19, omit sub-clause (4).
4. Clause 7, page 10, line 1, after "**Application**" insert "**and notification process**".
5. Clause 7, page 10, after line 15 insert—
 - "(3) On receiving an application under this section, the Chief Commissioner must, without delay, notify the person photographed that an application under this section for the giving of the photograph has been made.
 - (4) A notice under subsection (3)—
 - (a) must be given by posting the notice, by ordinary mail, to the last known address of the person photographed; and
 - (b) must set out the media organisation who has made the application; and
 - (c) must specify that he or she may make submissions to the Chief Commissioner and specify the time within which the submissions must be made.
 - (5) A person who has been given a notice under subsection (3) may, within the time specified in the notice, make written or oral submissions to the Chief Commissioner concerning the application.
 - (6) The Chief Commissioner must consider any submission made under subsection (5) within the time specified in the notice before deciding on an application."