

Cross-border Justice Act 2008

Cross-border Justice Amendment Regulations 2015

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Cross-border Justice Amendment Regulations 2015*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b).

3. Regulations amended

These regulations amend the *Cross-border Justice Regulations 2009*.

4. Regulations 84 and 86 deleted

Delete regulations 84 and 86.

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5. Regulation 93 replaced

Delete regulation 93 and insert:

93. Section 78A altered

In section 78A delete the definition of *senior police officer* and insert:

senior police officer^{1M} means —

- (a) a police officer who is, or is acting as, an inspector or an officer of a rank more senior than an inspector; or
- (b) a police officer of another participating jurisdiction who —
 - (i) is, or is acting as, an inspector or an officer of a rank more senior than an inspector; and
 - (ii) holds a secondary office as a police officer of the State;

6. Regulations 96 to 100 deleted

Delete regulations 96 to 100 inclusive.

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r. 7**7. Part 3 Divisions 20A and 20B inserted**

After Part 3 Division 19 insert:

**Division 20A — *Road Traffic (Administration) Act 2008*
modifications****96. Act modified**

This Division prescribes modifications to the *Road Traffic (Administration) Act 2008*.

97. Section 33 altered

After section 33(3) insert:

(4) ^{1M} For the purposes of subsection (3), if at the time the direction is given —

- (a) the vehicle is in a part of the State that is in a cross-border region; or
- (b) the driver ordinarily resides in a part of the State that is in a cross-border region,

the driver's licence document or learner's permit may be produced to the officer in charge of any police station in a participating jurisdiction.

98. Section 47 altered

After section 47(6) insert:

(7A) ^{1M} For the purposes of subsections (5) and (6), if —

- (a) the vehicle is removed from land in a part of the State that is in a cross-border region; and

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- (b) the police station nearest to the land is in another participating jurisdiction,

that police station is the police station —

- (c) to which the vehicle may be moved under subsection (5); and
- (d) at which particulars must be given under subsection (6).

99. Section 48 altered

- (1) In section 48 delete “A” and insert:

(1)^{1M} A

- (2) At the end of section 48 insert:

(2)^{1M} For the purposes of subsection (1), if the person connected with the vehicle has a connection with a cross-border region, the vehicle may be driven or conveyed to any police station or other place in a participating jurisdiction.

(3)^{1M} The person connected with the vehicle is the person who —

- (a) is suspected of having committed; or
- (b) is alleged to have committed; or
- (c) has been found guilty of,

an offence under the law of the State because of which the vehicle may be put into safe custody.

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r. 7**100. Section 96 altered**

- (1) In section 96 delete “A” and insert:
 - (1)^{1M} A
- (2) At the end of section 48 insert:
 - (2)^{1M} For the purposes of subsection (1), if the statutory declaration is made by a person who ordinarily resides in a cross-border region, it may be delivered to a police station in a participating jurisdiction.

101A. Section 103 altered

- (1) In section 103 delete “A” and insert:
 - (1)^{1M} A
- (2) At the end of section 103 insert:
 - (2)^{1M} For the purposes of subsection (1), if the statutory declaration is made by a person who ordinarily resides in a cross-border region, it may be delivered to a police station in a participating jurisdiction.

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101B. Section 131 altered

After section 131(3) insert:

(4A)^{1M} For the purposes of subsection (3), if —

- (a) the bridge or culvert is in a part of the State that is in a cross-border region; and
- (b) the nearest police station is in another participating jurisdiction,

the damage or injury must be reported to the officer in charge of that police station.

**Division 20B — *Road Traffic (Vehicles) Act 2012*
modifications****101C. Act modified**

This Division prescribes modifications to the *Road Traffic (Vehicles) Act 2012*.

101D. Section 13 altered

In section 13(1)(a) after “place” (each occurrence) insert:

in a participating jurisdiction

N. HAGLEY, Clerk of the Executive Council.