

JM302*

Court Security and Custodial Services Act 1999

Court Security and Custodial Services Regulations 1999

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Court Security and Custodial Services Regulations 1999*.

2. Commencement

These regulations come into operation on the day on which the provisions of the *Court Security and Custodial Services Act 1999*, other than Part 5, come into operation.

3. Publication of contracts: s. 45(5)(b)

- (1) This regulation applies if, under section 45(5)(a) of the Act, the Clerk of the Legislative Assembly or the Clerk of the Legislative Council receives a copy of a contract or a contract as amended (the “**contract**”).
- (2) The Clerk is to cause to be published in the *Gazette* within 14 days of receiving the contract a notice setting out —
 - (a) the date on which the contract was received by the Clerk;
 - (b) the name or brief description of the contents of the contract;
 - (c) the date of the contract or the date on which the contract was amended, as is relevant to the case;
 - (d) the parties to the contract; and
 - (e) details as to where and when the contract can be inspected.
- (3) The Clerk is to ensure that the contract can be inspected by any person during office hours.
- (4) Copies or extracts may be taken from the contract.

4. Persons not to be searched at court premises

For the purposes of clause 4(2) of Schedule 1 to the Act the following persons or members of the following classes of persons are not to be searched under clause 4(1) of that Schedule —

- (a) the Governor;
- (b) a Judge, auxiliary Judge, Master or Registrar of the High Court, Supreme Court, Federal Court, Family Court of Western Australia, Family Court of Australia, District Court or Liquor Licensing Court;
- (c) the President, a magistrate or a member of the Children’s Court;
- (d) a magistrate;
- (e) a justice of the peace acting in his or her official capacity;
- (f) any other person who acts judicially or who is a member of a body which acts judicially in a State or Federal jurisdiction;
- (g) the sheriff or the clerk of a court acting in his or her official capacity;

- (h) any person who is a deputy of a person, or who is acting in an office, referred to in paragraph (a) to (g) acting in his or her official capacity;
- (i) a member of the Police Force of Western Australia or the Australian Federal Police or an aboriginal aide appointed under Part IIIA of the *Police Act 1892*;
- (j) the Director of Public Prosecutions, the Deputy Director of Public Prosecutions or a member of the staff of the Director of Public Prosecutions for Western Australia or the Commonwealth acting in his or her official capacity;
- (k) a member of Parliament acting in his or her official capacity.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.