

WESTERN AUSTRALIA

NATIONAL CRIME AUTHORITY (STATE PROVISIONS) AMENDMENT ACT

No. 60 of 1988

AN ACT to amend the *National Crime Authority (State Provisions) Act 1985*.

[Assented to 8 December 1988]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *National Crime Authority (State Provisions) Amendment Act 1988*.

Commencement

2. This Act shall come into operation on a day to be fixed by proclamation.

Principal Act

3. In this Act the *National Crime Authority (State Provisions) Act 1985** is referred to as the principal Act.

[*Act No. 4 of 1985.]

Section 16 amended

4. Section 16 of the principal Act is amended in subsection (7) by deleting “counsel assisting the Authority in relation to the matter that is the subject of the hearing”.

Section 20 amended

5. Section 20 of the principal Act is amended—

(a) by repealing subsection (1) and substituting the following subsection—

“ (1) Where, upon application by or on behalf of the Authority, a Judge of the Federal Court sitting in chambers is satisfied by evidence on oath that there are reasonable grounds to believe—

(a) that a person who has been ordered, under section 15, to deliver his or her passport to the Authority, whether or not the person has complied with the order, is nevertheless likely to leave Australia for the purpose of avoiding giving evidence before the Authority; or

(b) that person in relation to whom a summons has been issued under section 17 (1)—

(i) has absconded or is likely to abscond; or

(ii) is otherwise attempting, or is otherwise likely to attempt, to evade service of the summons,

the Judge may issue a warrant for the apprehension of the person. ”; and

(b) by inserting after subsection (1) the following subsection—

“ (1a) The warrant may be executed notwithstanding that the warrant is not at the time in the possession of the person executing it. ”.

Section 34 repealed

6. Section 34 of the principal Act is repealed.
