

**2017**

**LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**Crimes (Child Sex Offenders) Amendment Regulation 2017 (No 1)**

**SUBORDINATE LAW No SL2017-31**

**EXPLANATORY STATEMENT**

Presented by  
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Minister for Police and Emergency Services

# Crimes (Child Sex Offenders) Amendment Regulation 2017 (No 1)

## SUBORDINATE LAW No SL2017-31

### Outline

The *Crimes (Child Sex Offenders) Amendment Regulation 2017 (No 1)* (the Regulation) amends the *Crimes (Child Sex Offenders) Regulation 2005*, which is made under the *Crimes (Child Sex Offenders) Act 2005* (the Act).

The Act establishes the ACT Child Sex Offenders Register (the Register). The Act requires certain offenders who are, or have been, sentenced for certain offences to report specified details to police for inclusion in the Register. These offenders must then report annually to police, unless there is a change in their personal details, in which case these changes must also be reported. The Act also empowers a sentencing court to order offenders who commit certain sexual offences against children to comply with reporting obligations.

Section 137 of the Act authorises the Minister to make regulations for the Act.

### Clause Notes

#### **Section 1 – Name of regulation**

The name of the Regulation is the *Crimes (Child Sex Offenders) Amendment Regulation 2017 (No 1)*.

#### **Section 2 – Commencement**

The Regulation commences on a day fixed by the Minister by written notice.

#### **Section 3 – Legislation amended**

The Regulation amends the *Crimes (Child Sex Offenders) Regulation 2005*.

#### **Section 4 – Section 16A heading**

This section substitutes a new section 16A heading in the Regulation. The previous heading referred to access to personal information from the Register. The substituted heading provides that the section instead relates to the disclosure of personal information from the Register for law enforcement functions or activities under section 118 (1) (b) (i) of the Act. The section prescribes the entities to which the Chief Police Officer can disclose personal information from the Register.

#### **Section 5 – New section 16B**

This section inserts a new section in the Regulation, section 16B. This section authorises the disclosure of personal information from the Register under section 118 (1) (b) (ii) of the Act, to agencies other than those listed in section 16A. This section authorises the disclosure of personal information if the disclosure is to the Commonwealth Minister responsible for

administering the *Australian Passports Act 2005* or the *Foreign Passports (Law Enforcement and Security) Act 2005*. The disclosure is authorised for the purpose of exercising a function under either of those Acts in relation to an offender.

**Section 6 – Dictionary, note 3**

This section inserts a definition of ‘child sex offenders register’ in the Regulation.