

Crimes (Amendment) Bill

EXPLANATORY MEMORANDUM

Part 1—Preliminary

Clause 1 sets out the purposes of the Act.

Clause 2 states that the Act comes into operation when proclaimed.

Clause 3 states that the *Crimes Act 1958* is called the Principal Act.

Part 2—Extra-territorial Offences

Clause 4 inserts a new Part IIA. in the Crimes Act. The new Part implements an agreement by the Standing Committee of Attorneys-General for uniform reciprocal legislation allowing search warrants to be issued and executed in one State or Territory for an offence committed in another.

New section 340 defines a number of terms used in the new Part.

New section 341 allows a Magistrate to issue a search warrant in respect of premises if there are reasonable grounds to believe that an indictable offence against the law of a reciprocating State has been or is intended to be committed and that there is at the premises an object relevant to the investigation of that offence. (A reciprocating State is defined in new section 340 to mean a State or Territory in which a corresponding law and reciprocal arrangements under new section 344 are in force).

New section 342 sets out the authority conferred on a police officer by a warrant.

New section 343 creates an offence of obstructing a police officer or a person assisting a police officer in the execution of a search warrant.

New section 344 allows the Minister to enter into arrangements with interstate Ministers for the transmission of objects seized under the new Part or under the corresponding law of the other State or Territory.

New section 345 allows the Governor in Council to make regulations.

Part 3—Miscellaneous Amendments

Clause 5 amends section 88 (1) of the Crimes Act to make it an offence dishonestly to bring into Victoria goods known or believed to be stolen.

Clause 6 repeals section 472 (2) of the Crimes Act.

Clause 7 amends the offence of unlawful possession of goods reasonably suspected to be stolen or unlawfully obtained, under section 26 of the *Summary Offences Act 1966*, to cover property suspected of being stolen or unlawfully obtained overseas.

Clause 8 inserts a new Division 2A in Part 8 of the *Corrections Act 1986*. The new Division allows the Director-General of Corrections to authorise the release of a prisoner for the purpose of travelling overseas to give evidence in a foreign country. The provision complements the Mutual Assistance in Criminal Matters Bill 1987 of the Commonwealth, which allows the Commonwealth Attorney-General to make arrangements for the travel of a prisoner to a foreign country to give evidence in criminal proceedings in certain circumstances.

