



New South Wales

Police Service Amendment (Testing for Gunshot Residue) Act 2001 No 68

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Police Service Amendment (Testing for Gunshot Residue) Act 2001 No 68

Act No 68, 2001

An Act to amend the *Police Service Act 1990* to provide for testing police officers for gunshot residue following the discharge of a firearm by a police officer.
[Assented to 11 October 2001]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Police Service Amendment (Testing for Gunshot Residue) Act 2001*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Police Service Act 1990 No 47

The *Police Service Act 1990* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Section 3)

Section 211AB

Insert after section 211A:

211AB Testing of police officers for gunshot residue

- (1) A person authorised by the Commissioner may direct a police officer to submit to testing for gunshot residue if the officer has, or may have:
 - (a) discharged a firearm, or
 - (b) been present when another police officer has, or may have, discharged a firearm.
- (2) A direction under this section (a *relevant direction*) must be given as soon as practicable after the discharge, or suspected discharge, of the firearm.
- (3) A police officer given a relevant direction must submit to testing for gunshot residue in accordance with the direction and any regulations made for the purposes of this section.
- (4) The regulations may make provision for or with respect to the following matters:
 - (a) the conduct of testing for gunshot residue,
 - (b) the devices to be used in conducting testing for gunshot residue,
 - (c) the procedure for the handling and analysis of test samples,
 - (d) the accreditation of persons conducting analyses of gunshot residue,

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Schedule 1 Amendment

- (e) offences relating to interference with testing for gunshot residue or test results,
- (f) the confidentiality of test results.

[Minister's second reading speech made in—
Legislative Assembly on 18 September 2001
Legislative Council on 25 September 2001]

BY AUTHORITY