

c2026-212C
GRNS--The Greens

LEGISLATIVE COUNCIL

Law Enforcement (Powers and Responsibilities) Amendment (Knife Scanning) Bill 2026

First print

Proposed amendments

- No. 1 **Major entertainment venue**
Page 3, Schedule 1[1], lines 3–14. Omit all words on the lines.
- No. 2 **Senior police officer who can declare designated areas**
Page 3, Schedule 1[2], lines 15–17. Omit all words on the lines.
- No. 3 **Major entertainment venue**
Page 3, Schedule 1[3], lines 18–20. Omit all words on the lines.
- No. 4 **Declaration of designated areas by instrument published in Gazette**
Page 3, Schedule 1. Insert after line 17—
 [2A] Section 45F Declaration of designated areas
 Insert “published in the Gazette” after “instrument”.
- No. 5 **Declaration of designated areas—further types of places specified by regulation**
Page 3, Schedule 1. Insert after line 20—
 [3A] Section 45F Declaration of designated areas
 Omit “venues,” from section 45F(c).
 Insert instead “venues.”
 [3B] Section 45F(d)
 Omit the paragraph.
- No. 6 **Circumstances in which place may be declared designated area**
Page 3, Schedule 1. Insert after line 20—
 [3C] Section 45G Circumstances in which place may be declared designated area
 Omit section 45G(a)(i)–(iii).
 Insert instead—

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- (i) at least 5 offences committed by a person armed with a knife or other weapon that have resulted in convictions,
 - (ii) at least 10 serious indictable offences committed involving violence against a person that have resulted in convictions,
 - (iii) more than 5 offences of possessing a knife or prohibited weapon in a public place or school committed that have resulted in convictions, and

No. 7 **Declaration of designated areas by instrument published in Gazette**

Page 3, Schedule 1. Insert after line 20—

[3D] Section 45H Requirement for declaration to be published

Omit the section.

No. 8 **Period during which declaration of designated area is in force**

Page 3, Schedule 1[4], lines 21–23. Omit all words on the lines.

No. 9 **More than one declaration may be made in relation to same place**

Page 3, Schedule 1. Insert after line 23—

[4A] Section 45J More than one declaration may be made in relation to same place

Insert at the end of the section—

- (2) However, a further declaration of a designated area must not be made in relation to the same place within 7 days of the expiry of an earlier declaration, unless the further declaration is made with the concurrence of the Commissioner.

No. 10 **Reasonable suspicion**

Page 3, Schedule 1. Insert after line 23—

[4B] Section 45K Authorised use of hand-held scanner without warrant in designated areas

Insert “if the police officer reasonably suspects that there is a knife or other weapon in the possession or under the control of the person.” after “scanner” in section 45K(1).

[4C] Section 45L Authorised use of hand-held scanner without warrant on board public transport vehicles

Omit “scanner—” from section 45L(2).

Insert “scanner, if the police officer reasonably suspects that there is a knife or other weapon in the possession or under the control of the person—”.

No. 11 **Safeguards for exercise of powers**

Page 3, Schedule 1[6], lines 37 and 38. Omit all words on the lines.

No. 12 **Information notices**

Page 3, Schedule 1. Insert after line 38—

[6A] Section 45O Safeguards for exercise of powers

Insert after section 45O(5)—

- (6) The police officer must offer to give the person a hand-held scanner information notice and, if the person accepts the offer, give the notice to the person.

(7) In this section—

hand-held scanner information notice means a written notice that states—

- (a) the person is in designated area, and
- (b) a police officer has the power to require the person to—
 - (i) to stop and submit, or resubmit, to the use of a hand-held scanner in relation to the person and the person's belongings to determine whether the person is carrying a knife or other weapon, and
 - (ii) produce a thing that may be causing a hand-held scanner to indicate that metal is, or is likely to be, present, and
- (c) it is an offence for the person not to comply with the requirement unless the person has a reasonable excuse.

No. 13 **Exercise of powers in relation to demonstrations, protests, processions or assemblies**

Page 3, Schedule 1. Insert after line 38—

[6B] Section 45OA

Insert after section 45O—

45OA Limitation on exercise of powers under this part—authorised assemblies

- (1) This part does not authorise a police officer to exercise a power under a hand-held scanner authority to require a person to stop and submit, or resubmit, to the use of a hand-held scanner in relation to the following that is an authorised public assembly for the purposes of the *Summary Offences Act 1988*, Part 4, except as provided by subsection (2)—
 - (a) an apparently genuine demonstration or protest, or
 - (b) a procession, or
 - (c) an organised assembly.
- (2) A police officer is not precluded from exercising a power in relation to a demonstration, protest, procession or assembly if the police officer believes on reasonable grounds that the direction is necessary to deal with a serious risk to the safety of a person.

No. 14 **Persons under 18 years of age**

Page 3, Schedule 1. Insert after line 38—

[6C] Section 45OB

Insert before section 45P—

45OB Limitation on exercise of powers under this part—children

A police officer must not exercise a power under a hand-held scanner authority to require a person who is less than 18 years of age to stop and submit, or resubmit, to the use of a hand-held scanner except in the presence of a parent or guardian of the person.

No. 15 **Records**

Page 3, Schedule 1. Insert after line 38—

[6D] Section 45P

Omit the section.

Insert instead—

45P Records to be kept

- (1) The Commissioner must keep records about the use of the powers under this division, including the information set out in subsection (2).
- (2) For subsection (1), the following information must be included—
 - (a) the number and locations of places declared as designated areas under section 45F,
 - (b) for each designated area—
 - (i) the number of persons required to stop and submit to the use of a hand-held scanner, and
 - (ii) the number of persons searched under Part 4, including the number of strip searches carried out, after a hand-held scanner indicated that metal was, or was likely to be, present on a person, and
 - (iii) the number and type of weapons produced after the use of a hand-held scanner on a person or found as a result of a subsequent search of the person,
 - (c) the number of persons charged with an offence under section 45N,
 - (d) the number of persons charged with an offence, and details of the offences charged, as a result of the use of a hand-held scanner on a person, including a subsequent search of the person,
 - (e) the demographic characteristics of each person charged with an offence, including the following, if known—
 - (i) the person's age,
 - (ii) the person's gender,
 - (iii) the person's Aboriginal and Torres Strait Islander status.
- (3) The information set out in subsection (2) must be included in the NSW Police Force's annual reporting information under the *Government Sector Finance Act 2018*, Division 7.3.

No. 16 **Review and expiry**

Page 3, Schedule 1[7], lines 39 and 40. Omit all words on the lines.

No. 17 **Further review—to be moved only if Amendment No 16 not adopted**

Page 3, Schedule 1. Insert after line 40—

[7A] Section 45S

Insert after section 45R—

45S Further review of part

- (1) The Minister must review this part to determine whether—
 - (a) the policy objectives of the part remain valid, and
 - (b) the terms of the part remain appropriate for securing the objectives.
- (2) The review must be undertaken as soon as possible after the period of 12 months from the assent date.
- (3) A report on the outcome of the review must be tabled in each House of Parliament within 2 years after the assent date.
- (4) In this section—

assent date means the date of assent of the *Law Enforcement (Powers and Responsibilities) Amendment (Knife Scanning) Act 2026*.