

Corruption, Crime and Misconduct Amendment Bill 2023

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Western Australia

LEGISLATIVE ASSEMBLY

**Corruption, Crime and Misconduct Amendment
Bill 2023**

A Bill for

**An Act to amend the *Corruption, Crime and Misconduct Act 2003* and
to make consequential amendments to various Acts.**

The Parliament of Western Australia enacts as follows:

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Part 1 — Preliminary

1. Short title

This is the *Corruption, Crime and Misconduct Amendment Act 2023*.

2. Commencement

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

1 **Part 2 — Corruption, Crime and Misconduct Act 2003**
2 **amended**

3 **3. Act amended**

4 This Part amends the *Corruption, Crime and Misconduct*
5 *Act 2003*.

6 **4. Section 3 amended**

7 (1) In section 3(1) insert in alphabetical order:

8

9 ***Deputy Commissioner*** means the person holding the
10 office of Deputy Commissioner established under this
11 Act;

12

13 (2) In section 3(1) in the definition of ***Commissioner*** delete
14 “14(1)(a) or (b);” and insert:

15

16 13A(1)(a) or 14(1)(a);

17

18 (3) In section 3(1) in the definition of ***officer of the Commission***
19 after paragraph (a) insert:

20

21 (aa) the Deputy Commissioner; or

22

23 **5. Section 9 amended**

24 (1) After section 9(1) insert:

25

26 (1A) There is to be a Deputy Commissioner who, in the
27 name of the Commission, is to perform such functions
28 of the Commission under this Act and any other written
29 law as the Commissioner directs.

30

s. 5

- 1 (2) In section 9(2):
2 (a) delete “subsection (1),” and insert:
3
4 subsection (1) or (1A),
5
6 (b) delete “done to, by reference to or in relation to the
7 Commissioner.” and insert:
8
9 done by, to, by reference to or in relation to the
10 Commissioner or Deputy Commissioner.
11
- 12 (3) Delete section 9(3), (3a), (3b), (4), (4a) and (4B).
- 13 (4) In section 9(5) delete “is to” and insert:
14
15 and Deputy Commissioner
16
- 17 (5) Delete section 9(6) and insert:
18
- 19 (6) The offices of Commissioner and Deputy
20 Commissioner are not offices in the Public Service.
21
- 22 Note: The heading to amended section 9 is to read:
23 **Commissioner and Deputy Commissioner of Corruption and**
24 **Crime Commission**

1 **6. Sections 9A to 9C inserted**

2 After section 9 insert:

3

4 **9A. Appointment of Commissioner and Deputy**
5 **Commissioner**

6 (1) The Commissioner and Deputy Commissioner must be
7 appointed on the recommendation of the Premier by
8 the Governor by commission under the Public Seal of
9 the State.

10 (2) The Premier can recommend the appointment of a
11 person under subsection (1) only if the following
12 requirements are satisfied —

13 (a) the person's name is on a list of 3 persons that
14 is submitted to the Premier by the nominating
15 committee under section 9B(1);

16 (b) if there is a Standing Committee —

17 (i) the Premier has given the Standing
18 Committee notice of the proposed
19 recommendation under section 9C(1);
20 and

21 (ii) the Standing Committee has not vetoed
22 the proposed recommendation under
23 section 9C(2); and

24 (iii) the period determined under
25 section 9C(3) has ended;

26 (c) if there is no Standing Committee — the
27 Premier has consulted with the Leader of the
28 Opposition and the leader of any other political
29 party with at least 5 members in either House of
30 Parliament.

- 1 **9B. Nominating committee to provide list of persons**
- 2 (1) The nominating committee must, on the Premier's
- 3 written request, submit to the Premier a list of
- 4 3 persons qualified and eligible under section 10 for
- 5 appointment.
- 6 (2) The Premier's request must specify for which of the
- 7 following purposes the list is required —
- 8 (a) recommending the appointment of a person as
- 9 Commissioner under section 9A(1);
- 10 (b) recommending the appointment of a person as
- 11 Deputy Commissioner under section 9A(1);
- 12 (c) recommending the appointment of a person to
- 13 act in the office of Commissioner under
- 14 section 14.
- 15 (3) Before submitting a list under subsection (1), the
- 16 nominating committee must —
- 17 (a) advertise throughout Australia for expressions
- 18 of interest; and
- 19 (b) if the Premier's request specifies that the list is
- 20 for the purpose of recommending the
- 21 appointment of a person as Deputy
- 22 Commissioner under section 9A(1) and there is
- 23 a Commissioner appointed under
- 24 section 9A(1) — consult with the
- 25 Commissioner.
- 26 **9C. Standing Committee may veto proposed**
- 27 **recommendation**
- 28 (1) If the Premier proposes to recommend the appointment
- 29 of a person under section 9A(1) or 14(1), the Premier
- 30 must give the Standing Committee written notice of the
- 31 proposed recommendation.

- 1 (2) The Standing Committee vetoes the proposed
2 recommendation if the Standing Committee gives the
3 Premier, within the period determined under
4 subsection (3), written notice that the majority of the
5 Standing Committee does not support the proposed
6 recommendation.
- 7 (3) For the purposes of subsection (2) and
8 section 9A(2)(b)(iii), the period is —
- 9 (a) if, within 14 days beginning on the day
10 (*notification day*) on which the Premier gives
11 notice under subsection (1), the Standing
12 Committee gives the Premier written notice that
13 it requires further time to consider the proposed
14 recommendation — 44 days beginning on
15 notification day; or
- 16 (b) otherwise — 14 days beginning on notification
17 day.
- 18 (4) This section does not apply if —
- 19 (a) there is no Standing Committee; or
- 20 (b) the Premier proposes to recommend the
21 appointment of a person under section 14(1)(a)
22 and section 14(2C) applies in relation to the
23 proposed recommendation.
- 24

25 **7. Section 10 amended**

- 26 (1) In section 10(1) after “Commissioner” insert:
- 27

28 or Deputy Commissioner

29

s. 8

1 (2) In section 10(3) and (4) delete “Commissioner.” and insert:

2

3 Commissioner or Deputy Commissioner.

4

5 Note: The heading to amended section 10 is to read:

6 **Qualifications and eligibility for appointment as Commissioner or**
7 **Deputy Commissioner**

8 **8. Section 11A inserted**

9 After section 11 insert:

10

11 **11A. Terms and conditions of service of Deputy**
12 **Commissioner**

13 Schedule 2A has effect with respect to the tenure,
14 remuneration and conditions of service of the Deputy
15 Commissioner and the other matters provided for in
16 that Schedule.

17

18 **9. Section 12 amended**

19 (1) In section 12(1) after “Commissioner” insert:

20

21 or Deputy Commissioner

22

23 (2) In section 12(2):

24 (a) delete “If” and insert:

25

26 The Governor may suspend the Commissioner or
27 Deputy Commissioner from office if

28

- 1 (b) delete “Commissioner —” and insert:
2
3 Commissioner or Deputy Commissioner, as the case
4 requires —
5
6 (c) in paragraph (b) delete “ himself or herself” and insert:
7
8 themselves
9
10 (d) in paragraph (c) delete “misconduct,” and insert:
11
12 misconduct.
13
14 (e) delete “the Governor may suspend the Commissioner
15 from office.”.
- 16 (3) In section 12(3):
17 (a) after “Commissioner” (1st occurrence) insert:
18
19 or Deputy Commissioner
20
21 (b) after “Commissioner” (2nd occurrence) insert:
22
23 or Deputy Commissioner, as the case requires,
24
25 (c) in paragraph (b) after “Commissioner” insert:
26
27 or Deputy Commissioner, as the case may be,
28
- 29 Note: The heading to amended section 12 is to read:
30 **Removal or suspension of Commissioner or Deputy**
31 **Commissioner**

s. 10

1 **10. Section 13 amended**

2 In section 13 delete “may declare himself or herself” and
3 insert:

4
5 or Deputy Commissioner may declare themselves
6

7 **11. Section 13A inserted**

8 After section 13 insert:

9
10 **13A. Deputy Commissioner to act as Commissioner**

11 (1) The Deputy Commissioner must act in the office of
12 Commissioner —

13 (a) during any period when the office of
14 Commissioner is vacant or the person holding
15 the office of Commissioner is unable to
16 perform the functions of that office; and

17 (b) in relation to any matter in respect of which the
18 person holding the office of Commissioner has
19 under section 13 declared themselves unable to
20 act.

21 (2) Subsection (1) does not apply —

22 (a) during any period when the Deputy
23 Commissioner is unable to perform the
24 functions of the office of Commissioner; or

25 (b) in relation to any matter —

26 (i) in respect of which the Deputy
27 Commissioner has under section 13
28 declared themselves unable to act; or

29 (ii) in relation to which a person is acting in
30 the office of Commissioner under

- 1 section 14 for the reason mentioned in
2 section 14(1)(b).
- 3 (3) The Deputy Commissioner, when acting in the office
4 of Commissioner under this section for the reason
5 mentioned in subsection (1)(b) in relation to a matter,
6 may perform functions of that office in relation to the
7 matter even though the Commissioner or a person
8 acting under section 14 for the reason mentioned in
9 section 14(1)(b) is at the same time performing other
10 functions of that office.
- 11 (4) If the Deputy Commissioner is acting in the office of
12 Commissioner under this section for the reason
13 mentioned in subsection (1)(b) in relation to a matter, a
14 reference to the Commissioner in a provision of this
15 Act that is relevant to the performance by the Deputy
16 Commissioner of a function of that office in relation to
17 the matter includes a reference to the Deputy
18 Commissioner.
- 19 (5) The validity of anything done by or in relation to the
20 Deputy Commissioner while purporting to act under
21 this section is not to be called into question on the
22 ground that the occasion for the Deputy Commissioner
23 to act had not arisen or had ceased.
24

25 **12. Section 14 amended**

- 26 (1) In section 14(1):
27 (a) delete “may appoint a person who is” and insert:
28
29 may, on the recommendation of the Premier, appoint a
30 person who is qualified and
31

s. 12

- 1 (b) delete paragraphs (a) to (c) and insert:
2
- 3 (a) during any period or during all periods when —
4 (i) the office of Commissioner is vacant or
5 the person holding the office of
6 Commissioner is unable to perform the
7 functions of the office of
8 Commissioner; and
9 (ii) the office of Deputy Commissioner is
10 vacant or the person holding the office
11 of Deputy Commissioner is unable to
12 perform the functions of the office of
13 Commissioner; and
14 (iii) if a person is appointed under this
15 paragraph — the person is unable to
16 perform the functions of the office of
17 Commissioner;
- 18 or
- 19 (b) in relation to any matter in respect of which the
20 person holding the office of Commissioner, the
21 person holding the office of Deputy
22 Commissioner or a person appointed under this
23 subsection has under section 13 declared
24 themselves unable to act.
25
- 26 (2) Delete section 14(2a) and insert:
27
- 28 (2A) The Premier can recommend the appointment of a
29 person under subsection (1) only if the requirements set
30 out in section 9A(2)(a) to (c) are satisfied in relation to
31 the person.

- 1 (2B) For the purposes of subsection (2A), the requirements
2 set out in section 9A(2)(a) to (c) may be satisfied —
- 3 (a) prospectively even though the necessity for an
4 appointment has not arisen; and
- 5 (b) with respect to a number of persons each of
6 whom is eligible to be appointed should the
7 necessity arise.
- 8 (2C) Despite subsection (2A), the Premier can recommend
9 the appointment of a person under subsection (1)(a)
10 without the requirements set out in section 9A(2)(a) to
11 (c) being satisfied in relation to the person if —
- 12 (a) the appointment is for a period of no longer
13 than 12 months; and
- 14 (b) the appointment will not result in the person
15 being appointed more than twice consecutively
16 to act in the office of Commissioner.
- 17
- 18 (3) In section 14(4):
- 19 (a) delete “subsection (1)(c)” and insert:
20
21 subsection (1)(b)
- 22
- 23 (b) before “Commissioner” (1st occurrence) insert:
24
25 office of
- 26
- 27 (c) delete “he or she is appointed even though the
28 Commissioner” and insert:
29
30 the person is appointed even though the Commissioner,
31 the Deputy Commissioner acting under section 13A for
32 the reason mentioned in section 13A(1)(b) or another

s. 13

1 person acting under this section for the reason
2 mentioned in subsection (1)(b)
3

4 (4) In section 14(5):

5 (a) delete “subsection (1)(c),” and insert:

6

7 subsection (1)(b),
8

9 (b) before “Commissioner” (2nd occurrence) insert:

10

11 office of
12

13 **13. Section 15 amended**

14 In section 15(1):

15 (a) after “Commissioner” insert:

16

17 or Deputy Commissioner
18

19 (b) delete “he or she —” and insert:

20

21 the person —
22

23 **14. Section 27 amended**

24 In section 27(1) after “Commissioner” insert:

25

26 or Deputy Commissioner
27

28 Note: The heading to amended section 27 is to read:

29

30 **Allegation about Commissioner, Deputy Commissioner,
31 Parliamentary Inspector or judicial officer not to be received or
initiated**

1 **15. Section 45G amended**

2 Delete section 45G(a) and insert:

3

4 (a) the holder of the office of Commissioner;

5 (aa) a person acting in the office of Commissioner
6 under section 13A or 14;

7 (ab) the Deputy Commissioner;

8

9 **16. Section 45H amended**

10 In section 45H(4)(b)(ii) delete “whether the person is appointed
11 under section 9 or 14, or by” and insert:

12

13 a person acting in the office of Commissioner under
14 section 13A or 14, the Deputy Commissioner,

15

16 **17. Section 45X amended**

17 In section 45X(3)(a)(ii) before “Commissioner” insert:

18

19 Public Sector

20

21 **18. Section 133 amended**

22 In section 133(1) delete “Commissioner” and insert:

23

24 Commission

25

s. 19

1 **19. Section 141 amended**

2 In section 141(2) after “Commissioner” insert:

3

4 or Deputy Commissioner

5

6 **20. Section 183 amended**

7 In section 183(2) delete “Commissioner.” and insert:

8

9 Commissioner or Deputy Commissioner.

10

11 **21. Section 184 amended**

12 (1) In section 184(1) in the definition of *authorised officer* after
13 paragraph (a) insert:

14

15 (aa) the Deputy Commissioner; and

16

17 (2) In section 184(3)(c) and (3b)(c) delete “Commissioner is” and
18 insert:

19

20 Commissioner and Deputy Commissioner are each

21

22 Note: The heading to amended section 184 is to read:

23

Appointment and functions of authorised officers

24 **22. Section 217 amended**

25 In section 217(1) delete “Commissioner” (each occurrence) and
26 insert:

27

28 Commissioner, the Deputy Commissioner

29

1 **23. Section 225 amended**

2 In section 225(4) delete “Commissioner,” and insert:

3

4 Commissioner or Deputy Commissioner,

5

6 **24. Part 15 Division 1 heading inserted**

7 At the beginning of Part 15 insert:

8

9 **Division 1 — Transitional provision for *Corruption and***
10 ***Crime Commission Amendment (Misconduct) Act 2014***

11

12 **25. Part 15 Division 2 inserted**

13 At the end of Part 15 insert:

14

15 **Division 2 — Transitional provisions for *Corruption,***
16 ***Crime and Misconduct Amendment Act 2023***

17 **229. Terms used**

18 In this Division —

19 ***amending Act*** means the *Corruption, Crime and*
20 ***Misconduct Amendment Act 2023***;

21 ***former Act*** means this Act as in force immediately
22 before transition day;

23 ***transition day*** means the day on which Part 2 of the
24 amending Act comes into operation.

- 1 **230. Advertising by nominating committee before**
2 **transition day**
- 3 (1) This section applies if —
- 4 (a) before transition day the nominating
5 committee —
- 6 (i) began advertising (the *relevant*
7 *advertising*) throughout Australia under
8 section 9(3b) of the former Act for
9 expressions of interest in relation to an
10 appointment by the Governor under
11 section 9(3) or 14(1) of the former Act;
12 and
- 13 (ii) did not, pursuant to the relevant
14 advertising, submit to the Premier under
15 section 9(3a)(a) of the former Act
16 (including as applied by section 14(2a)
17 of the former Act) a list of 3 persons
18 eligible for appointment;
- 19 and
- 20 (b) it is not more than 12 months since the day on
21 which the nominating committee began the
22 relevant advertising.
- 23 (2) Despite section 9B, the nominating committee may,
24 once the relevant advertising is completed, submit to
25 the Premier a list of 3 persons qualified and eligible
26 under section 10 for appointment.
- 27 (3) A list submitted to the Premier by the nominating
28 committee under subsection (2) is taken to be a list of 3
29 persons that is submitted to the Premier by the
30 nominating committee under section 9B(1).

- 1 **231. Person on list submitted by nominating committee**
2 **before transition day**
- 3 (1) This section applies if —
- 4 (a) before transition day —
- 5 (i) a person’s (the *relevant person*) name is
6 on a list of 3 persons eligible for
7 appointment submitted to the Premier
8 by the nominating committee under
9 section 9(3a)(a) of the former Act
10 (including as applied by section 14(2a)
11 of the former Act); and
- 12 (ii) the Governor did not appoint the
13 relevant person under section 9(3) or
14 14(1) of the former Act;
- 15 and
- 16 (b) it is not more than 12 months since the day on
17 which the nominating committee submitted the
18 list to the Premier.
- 19 (2) Sections 9(3), (3a) and (4) and 14(2a) of the former Act
20 (as the case may require) continue to apply in relation
21 to the appointment of the relevant person as if the
22 amendments made by sections 5(3), 6 and 12(2) of the
23 amending Act had not been made.
- 24 **232. References to Commissioner appointed under**
25 **s. 9A(1)**
- 26 On and from transition day, a reference in this Act to a
27 Commissioner appointed under section 9A(1) includes
28 a reference to a Commissioner appointed under
29 section 9 of the former Act.

1 **233. Person taken to be acting for reason mentioned in**
2 **s. 14(1)(b)**

3 On and from transition day, a person appointed under
4 section 14(1) of the former Act for the reason
5 mentioned in section 14(1)(c) of the former Act is,
6 when acting under section 14 for that reason, taken to
7 be acting under section 14 for the reason mentioned in
8 section 14(1)(b).

9
10 **26. Schedule 2A inserted**

11 After Schedule 2 insert:

12
13 **Schedule 2A — Terms and conditions of service of**
14 **Deputy Commissioner**

15 [s. 11A]

16 **1. Tenure of office**

17 Subject to this Act, the Deputy Commissioner holds office
18 for a period of 5 years and is eligible for reappointment
19 once.

20 **2. Terms of appointment**

21 (1) The Deputy Commissioner is to be appointed on a full-time
22 basis.

23 (2) The Deputy Commissioner must not, except in so far as
24 authorised to do so by the Governor, hold any office of
25 profit or trust (other than office as Deputy Commissioner) or
26 engage in any occupation for reward outside the duties of
27 the office of Deputy Commissioner.

28 (3) Section 52 of the *Interpretation Act 1984* does not apply to
29 the office of Deputy Commissioner.

- 1 **3. Remuneration, leave and entitlements**
- 2 (1) The Deputy Commissioner is entitled to be paid
- 3 remuneration and to receive allowances or reimbursements
- 4 at the same rate as —
- 5 (a) if the Deputy Commissioner is a person who has
- 6 served as a judge of the Supreme Court of Western
- 7 Australia or another State or Territory or the High
- 8 Court of Australia or the Federal Court of
- 9 Australia — a puisne judge of the Supreme Court;
- 10 or
- 11 (b) otherwise — the senior District Court judge.
- 12 (2) Despite subclause (1), during any period when the Deputy
- 13 Commissioner is acting in the office of Commissioner under
- 14 section 13A(1)(a) the Deputy Commissioner is entitled to be
- 15 paid remuneration and receive allowances or
- 16 reimbursements at the same rate as a puisne judge of the
- 17 Supreme Court.
- 18 (3) The Deputy Commissioner is entitled to the same conditions
- 19 in respect of leave of absence as a judge of the Supreme
- 20 Court.
- 21 (4) The provisions of the *Judges' Salaries and Pensions*
- 22 *Act 1950* that relate to pensions apply, with such
- 23 modifications as circumstances require —
- 24 (a) to and in relation to the Deputy Commissioner as
- 25 they apply to and in relation to a judge of the
- 26 Supreme Court appointed after the commencement
- 27 of that Act; and
- 28 (b) after the Deputy Commissioner's death, to and in
- 29 relation to the Deputy Commissioner's spouse or
- 30 de facto partner and children as they apply to and in
- 31 relation to the spouse or de facto partner and
- 32 children of a judge of the Supreme Court after that
- 33 judge's death.
- 34 (5) For the purposes of subclause (4), judge in the *Judges'*
- 35 *Salaries and Pensions Act 1950* includes a reference to the
- 36 Deputy Commissioner.

s. 26

- 1 (6) Subclauses (1) and (2) have effect subject to clause 4.
- 2 (7) The remuneration payable to the holder of the office of
3 Deputy Commissioner is to be charged to the Consolidated
4 Account which, to the necessary extent, is by this clause
5 appropriated accordingly.
- 6 **4. Provisions where Deputy Commissioner was judge**
- 7 (1) If a person was a judge of the Supreme Court or the Chief
8 Judge of the District Court immediately before appointment
9 to the office of Deputy Commissioner, that person must be
10 paid the same remuneration and have the same other rights
11 or privileges as if the person had continued to be the holder
12 of that judicial office.
- 13 (2) For the purposes of the *Judges' Salaries and Pensions*
14 *Act 1950*, the service as Deputy Commissioner of a former
15 judge is taken to be service as the holder of the same judicial
16 office as the office that person held before appointment as
17 Deputy Commissioner.
- 18 (3) The person's service as Deputy Commissioner is, for all
19 purposes, taken to be service as the holder of that judicial
20 office.
- 21 (4) In this clause —
22 *former judge* means a person who, immediately before
23 appointment to the office of Deputy Commissioner, was a
24 judge of the Supreme Court or the District Court.
- 25 **5. Provisions where Deputy Commissioner was public**
26 **service officer**
- 27 (1) If a public service officer is appointed as Deputy
28 Commissioner, that person is entitled to retain all their
29 accruing and existing rights, including any rights under the
30 *Superannuation and Family Benefits Act 1938*, as if service
31 as Deputy Commissioner were a continuation of service as a
32 public service officer.
- 33 (2) If a person ceases to be Deputy Commissioner and becomes
34 a public service officer, the service as Deputy

- 1 Commissioner is to be regarded as service in the Public
2 Service for the purposes of determining that person's rights
3 as a public service officer and, if applicable, for the
4 purposes of the *Superannuation and Family Benefits*
5 *Act 1938*.
- 6 (3) Subclause (4) applies to a person if —
- 7 (a) immediately before the person's appointment as
8 Deputy Commissioner the person occupied an
9 office under the *Public Sector Management*
10 *Act 1994* Part 3; and
- 11 (b) the person's term of office expires by effluxion of
12 time and the person is not reappointed as Deputy
13 Commissioner.
- 14 (4) A person to whom this subclause applies is entitled to be
15 appointed to an office under the *Public Sector Management*
16 *Act 1994* Part 3 of at least the equivalent level of
17 classification as the office that person occupied immediately
18 prior to appointment as Deputy Commissioner.

19 **6. Resignation**

20 The Deputy Commissioner may, at any time, by instrument
21 in writing addressed to the Governor, resign the office of
22 Deputy Commissioner, and on receipt of the resignation by
23 the Governor, the Deputy Commissioner is to vacate the
24 office of Deputy Commissioner.

25 **7. Vacancy**

26 The office of Deputy Commissioner becomes vacant if the
27 Deputy Commissioner —

28 (a) dies; or

29 (b) resigns the office under clause 6; or

30 (c) becomes a police officer; or

31 (d) becomes, according to the *Interpretation Act 1984*
32 section 13D, a bankrupt or a person whose affairs
33 are under insolvency laws; or

Corruption, Crime and Misconduct Amendment Bill 2023

Part 2 Corruption, Crime and Misconduct Act 2003 amended

s. 26

- 1 (e) is removed from office under section 12; or
- 2 (f) is appointed Commissioner under section 9A(1).
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Part 3 — Other Acts amended

Division 1 — *Constitution Acts Amendment Act 1899* amended

27. Act amended

This Division amends the *Constitution Acts Amendment Act 1899*.

28. Schedule V amended

In Schedule V Part 1 Division 2 delete “Commissioner appointed under the *Corruption, Crime and Misconduct Act 2003*.” and insert:

Commissioner and Deputy Commissioner appointed under the *Corruption, Crime and Misconduct Act 2003*.

Division 2 — *Criminal Organisations Control Act 2012* amended

29. Act amended

This Division amends the *Criminal Organisations Control Act 2012*.

30. Section 3 amended

In section 3(1) in the definition of *CC Commissioner* delete “section 14(1)(a) or (b)” and insert:

section 13A(1)(a) or 14(1)(a)

Division 3 — *Spent Convictions Act 1988* amended

31. Act amended

This Division amends the *Spent Convictions Act 1988*.

Corruption, Crime and Misconduct Amendment Bill 2023

Part 3 Other Acts amended

Division 4 Telecommunications (Interception and Access) Western
Australia Act 1996 amended

s. 32

1 **32. Schedule 3 clause 1 amended**

2 In Schedule 3 clause 1(1) in the Table item 10B(a) after
3 “Commissioner” insert:

4

5 or Deputy Commissioner

6

7 **Division 4 — *Telecommunications (Interception and Access)***
8 ***Western Australia Act 1996* amended**

9 **33. Act amended**

10 This Division amends the *Telecommunications (Interception*
11 *and Access) Western Australia Act 1996*.

12 **34. Section 3 amended**

13 In section 3(1) in the definition of *certifying officer*
14 paragraph (aa) delete “as” and insert:

15

16 or Deputy Commissioner as those terms are

17

18 **Division 5 — *Terrorism (Preventative Detention) Act 2006***
19 **amended**

20 **35. Act amended**

21 This Division amends the *Terrorism (Preventative Detention)*
22 *Act 2006*.

1 **36. Section 55 amended**

2 In section 55(1)(b) after “the Commissioner” insert:

3

4 or Deputy Commissioner

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