

Queensland



**POLICE POWERS AND  
RESPONSIBILITIES AND  
ANOTHER ACT AMENDMENT  
ACT 2001**

**Act No. 22 of 2001**



Queensland



**POLICE POWERS AND  
RESPONSIBILITIES AND ANOTHER  
ACT AMENDMENT ACT 2001**

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**Police Powers and Responsibilities and  
Another Act Amendment Act 2001**

**Act No. 22 of 2001**

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**An Act to amend the *Police Powers and Responsibilities Act 2000* and  
the *Weapons Act 1990***

*[Assented to 17 May 2001]*

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The Parliament of Queensland enacts—

## **PART 1—PRELIMINARY**

### **1 Short title**

This Act may be cited as the *Police Powers and Responsibilities and Another Act Amendment Act 2001*.

### **2 Commencement**

Part 2 is taken to have commenced on 1 July 2000, immediately after the commencement of the provisions of the *Police Powers and Responsibilities Act 2000* that commenced on that day.

## **PART 2—AMENDMENT OF POLICE POWERS AND RESPONSIBILITIES ACT 2000**

### **3 Act amended in pt 2**

This part amends the *Police Powers and Responsibilities Act 2000*.

### **4 Amendment of s 144 (Powers under surveillance warrants)**

Section 144(d), ‘to use reasonable force’—  
*omit.*

### **5 Amendment of s 152 (What covert search warrant must state)**

Section 152(a)—  
*omit, insert—*

‘(a) that a police officer may exercise covert search powers under the warrant;’.

## **6 Replacement of s 375 (Power to use force—exercise of certain powers)**

Section 375—

*omit, insert—*

### **‘375 Power to use force—exercise of certain powers**

‘(1) It is lawful for a police officer, and anyone helping the police officer, to use reasonably necessary force when exercising or attempting to exercise a power under—

- (a) this Act, including, for example, surveillance powers under a surveillance warrant or covert search powers under a covert search warrant; or
- (b) another Act.

*Examples—*

1. Forced entry may be necessary to execute a search warrant and seize items.
2. Forced entry may be needed for covert entry to a place to install a surveillance device.
3. Force may be used to stop vehicles.

‘(2) This section does not apply to the use of force against an individual.<sup>1</sup>’.

## **PART 3—AMENDMENT OF WEAPONS ACT 1990**

### **7 Act amended in pt 3**

This part amends the *Weapons Act 1990*.

### **8 Amendment of s 5 (Definitions)**

Section 5, definition “collector”, from ‘weapons—’—

*omit, insert—*

‘weapons.’.

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<sup>1</sup> See section 376 (Power to use force against individuals).

**9 Amendment of s 6A (What is a “replica”)**

Section 6A(1)(b), ‘, C or H’—

*omit, insert—*

‘or C’.

**10 Amendment of s 49 (Commissioner to maintain firearms register)**

Section 49—

*insert—*

‘(5) In this section—

“**firearm**” includes a category H weapon that is permanently inoperable.’.

**11 Amendment of s 77 (Collector’s licence (weapons))**

(1) Section 77(2)(b), after ‘1900’—

*insert—*

‘and of obvious and significant commemorative, historic, thematic or investment value’.

(2) Section 77(2)—

*insert—*

‘(c) category H weapons that are permanently inoperable, whether or not of commemorative, historic, thematic or investment value.’.

**12 Insertion of new pt 8**

After section 172—

*insert—*

**‘PART 8—TRANSITIONAL PROVISIONS****‘173 Transitional provision for Police Powers and Responsibilities and Another Act Amendment Act 2001**

‘(1) This section applies to a person who, immediately before the commencement of this section, possesses a category H weapon that is permanently inoperable.



‘(2) The person may continue to possess the category H weapon without a licence until whichever of the following happens first—

- (a) the person obtains a collector’s licence for the weapon;
- (b) the end of 3 months after the commencement of this section.’.