

Queensland



POLICE (PHOTOGRAPHS) ACT 1966

**Reprinted as in force on 24 January 1996
(includes amendments up to Act No. 71 of 1985)**

Reprint No. 1

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This Act is reprinted as at 24 January 1996. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use different spelling consistent with current drafting practice (s 26(2))
- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (s 39)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43).

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
 - **table of changed names and titles**
 - **table of changed citations and remade laws**
 - **table of obsolete and redundant provisions**
 - **table of renumbered provisions.**

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POLICE (PHOTOGRAPHS) ACT 1966

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POLICE (PHOTOGRAPHS) ACT 1966

[as amended by all amendments that commenced on or before 24 January 1996]

An Act to regulate the procurement of photographs taken for evidentiary purposes for the use of the police service of the State of Queensland

Short title

1. This Act may be cited as the *Police (Photographs) Act 1966*.

Meaning of terms

- 2.(1) In this Act—

“**marked print**” means a print marked in a manner that highlights certain features or aspects of the subject of the print or points of similarity between the subject of the print and the subject of another print.

“**print**” means a print of a photograph or part of a photograph and includes a marked print.

(2) A term or expression to which a meaning is assigned by the *Police Act 1937* shall, when used in this Act, bear the same meaning and any derivative of such a term or expression shall bear a corresponding meaning.

Payment for photographic prints

3.(1) A person for whom a print is made by or on behalf of a police officer in the execution of the police officer’s duty, pursuant to this Act or otherwise, shall pay for each such print a reasonable sum fixed by the commissioner appointed under the *Police Service Administration Act 1990* for the costs and expenses of and in connection with printing and supplying the same.

(2) Where the person for whom a print is made as referred to in subsection (1) requires a marked print the person shall pay in addition for each such print a reasonable sum fixed by the commissioner for the costs and expenses of and in connection with marking the print.

(3) The commissioner may fix different sums in respect of the printing, marking and supply of prints of different classes, types or sizes and may fix a sum in respect of the printing and supply and, if necessary, the marking of a particular print.

Entitlement to photographic prints

4. When a print has been exhibited in any court or tribunal by or on behalf of the Crown or a police officer in the execution of the police officer's duty a person who requires a print identical to the print exhibited for a prescribed purpose shall be entitled, subject to this Act, to have a print identical to the print exhibited.

Procedure to obtain print of exhibit

5.(1) A person who requires a print identical to an exhibited print referred to in section 4 shall, in writing—

- (a) make the person's request therefor of the person who has custody of the negative of the print exhibited; and
- (b) indicate therein the purpose for which the person requires the print;

and shall pay to the person having such custody the sum required by section 3 to be paid by the person therefor.

(2) If the person who has custody of the negative is satisfied that the person making the request is entitled as prescribed to a print identical to the print exhibited and that the appropriate sum has been paid, the person shall cause a print identical to the print exhibited to be made and supplied.

(3) Neither the Crown nor any person shall be held liable in law on account of the printing, marking or supply of a print pursuant to this Act.

Certain cases not within s 4

6. The provisions of section 4 shall not be construed to confer any entitlement upon a person who requires a print for the purposes of a proceeding commenced in any court or tribunal on account of anything alleged to have been done or to have been omitted by any police officer or employee of the Crown in right of the State in the execution of his or her duty except where a print identical to the print required has been exhibited in such proceeding.

What a prescribed purpose is

7. For the purposes of this Act a prescribed purpose is—

- (a) the purpose of answering a charge of an offence, the subject matter of or arising out of the proceeding in which has been exhibited a print of which an identical print is required; or
- (b) the purposes of a proceeding commenced in any court or tribunal, be it the same proceeding in which has been exhibited a print of which an identical print is required or another proceeding; or
- (c) the purpose of deciding whether to commence a proceeding in any court or tribunal or to make a particular claim therein; or
- (d) the purpose of deciding whether to defend a proceeding which may be commenced in any court or tribunal or to make or resist a particular claim therein.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 24 January 1996. Future amendments of the Police (Photographs) Act 1966 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 List of legislation

Police (Photographs) Act 1966 No. 21

date of assent 15 December 1966

commenced on date of assent

as amended by—

Police (Photographs) Act Amendment Act 1976 No. 56

date of assent 3 November 1976

commenced on date of assent

Police (Photographs) Act Amendment Act 1981 No. 103

date of assent 16 December 1981

commenced on date of assent

Police (Photographs) Act Amendment Act 1985 No. 71

date of assent 23 October 1985

commenced on date of assent

5 List of annotations

Meaning of terms

s 2 amd 1985 No. 71 s 2

Payment for photographic prints

s 3 sub 1976 No. 56 s 2
amd 1985 No. 71 s 3

Entitlement to photographic prints

s 4 prev s 4 renum as s 6 1976 No. 56 s 4
pres s 4 ins 1976 No. 56 s 2
amd 1985 No. 71 s 4

Procedure to obtain print of exhibit

s 5 ins 1976 No. 56 s 3
sub 1985 No. 71 s 5

Certain cases not within s 4

prov hdg amd 1981 No. 103 s 2
s 6 new s 6 (prev s 4) renum 1976 No. 56 s 4
amd 1981 No. 103 s 2; 1985 No. 71 s 6

What a prescribed purpose is

s 7 ins 1976 No. 56 s 5
amd 1985 No. 71 s 7

6 Table of changed names and titles

TABLE OF CHANGED NAMES AND TITLES
under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
member (of the police force)	(police) officer	Police Service Administration Act 1990 s 11.1(1)(c) (see also s 1.4)
police force	police service	Police Service Administration Act 1990 s 11.1(1)(a)

7 Table of changed citations and remade laws

TABLE OF CHANGED CITATIONS AND REMADE LAWS
under the Reprints Act 1992 ss 21A and 22

Old	New	Reference provision
Police Act 1937	Police Service Administration Act 1990	Police Service Administration Act 1990 s 11.2

8 Table of obsolete and redundant provisionsTABLE OF OBSOLETE AND REDUNDANT PROVISIONS
under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
definitions to be read in context	Acts Interpretation Act 1954 s 32A

9 Table of renumbered provisionsTABLE OF RENUMBERED PROVISIONS
under the Reprints Act 1992 s 43

Previous	Renumbered as
5(1), 1st unnum para	5(1)(a)
5(1), 2nd unnum para	5(1)(b)