

TASMANIA

**YOUTH JUSTICE AMENDMENT REGULATIONS
2022**

STATUTORY RULES 2022, No. 104

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YOUTH JUSTICE AMENDMENT REGULATIONS 2022

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Youth Justice Act 1997*.

Dated 21 November 2022.

B. BAKER
Governor

By Her Excellency's Command,

ELISE ARCHER
Minister for Justice

1. Short title

These regulations may be cited as the *Youth Justice Amendment Regulations 2022*.

2. Commencement

These regulations take effect on 1 December 2022.

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3. Principal Regulations

In these regulations, the *Youth Justice Regulations 2019** are referred to as the Principal Regulations.

4. Regulation 3A inserted

After regulation 3 of the Principal Regulations, the following regulation is inserted:

3A. Prescribed details for purposes of section 25K of Act

(1) In this regulation –

person of the required gender, in relation to a youth, has the same meaning as in section 25D of the Act.

(2) A word or phrase used in this regulation that is also used in Division 3 of Part 3 of the Act has the same meaning in this regulation as the word or phrase has in that Division.

(3) For the purposes of section 25K of the Act, the following information in relation to a search is prescribed:

(a) the name of the youth to whom the search relates;

*S.R. 2019, No. 58

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- (b) whether the youth identifies as an Aboriginal or Torres Strait Islander;
- (c) the gender of the youth;
- (d) the date of birth of the youth;
- (e) each relevant search purpose for which the search was conducted;
- (f) the date on which, and the time at which, the search was conducted;
- (g) information sufficient to identify the room, or part of an area that is not a room, in which the search was carried out;
- (h) the items, if any, seized during the search;
- (i) the name of, and the position held by, the search officer who conducted the search;
- (j) the name of, and the position held by, each other person who was present during the conduct of the search;
- (k) whether the search officer conducting the search, and each other person who was present during the conduct of the search, was a person of the required gender in relation to the youth;

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- (l) if a person conducting the search, or another person who was present during the conduct of the search, was not a person of the required gender in relation to the youth, the name of, and the position held by, the person, if any, who gave approval for that person to conduct the search or to be present during the conduct of the search;
- (m) if the search is an unclothed search –
 - (i) the name of, and the position held by, the person who authorised, under section 25E(6) of the Act, the search to be conducted; and
 - (ii) the conditions, if any, specified in the authorisation;
- (n) whether the youth was given the information and opportunity required to be given to the youth under section 25H of the Act.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 30 November 2022.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations under the *Youth Justice Act 1997* prescribe information, in relation to a search, that is to be included in a search register maintained under the Act.