

4.3. Custody (Amendment) Bill 2013 – Clauses considered

The Deputy Speaker: I can now call on Mr Watterson to move clause 1.

Mr Watterson: Thank you, Mr Deputy Speaker.
Clause 1 gives the short title of the Bill as the Custody (Amendment) Bill 2013.
I beg to move that clause 1 stand part of the Bill.

Mr Quirk: I beg to second, Deputy Speaker, and reserve my remarks.

The Deputy Speaker: The question is that clause 1 do stand part of the Bill. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.
Mr Watterson, clause 2, please.

Mr Watterson: Mr Deputy Speaker, clause 2 deals with the issues outlined in my Second Reading speech in the following ways.

It substitutes section 19A of the Custody Act 1995, with provision that is similar but different in three important particulars. Firstly, it uses more direct language by providing for the taking of a 'non-intimate sample' rather than a sample that is not an intimate sample, as before. Secondly, it addresses the issue that the current most effective method of testing for the presence of a controlled drug is by taking of a sample of urine and therefore subsection 4A provides for the taking of a sample of urine. Thirdly, this substituted section adds subsection 4B which empowers the taking of a sample of breath.

Mr Deputy Speaker, I beg to move that clause 2 be approved.

The Deputy Speaker: Mr Quirk.

Mr Quirk: I beg to second, Deputy Speaker, and reserve my remarks.

The Deputy Speaker: The question is that clause 2 do stand part of the Bill. All those in favour, say aye; against, no. The ayes have it. The ayes have it.
That completes the clauses stage.