

1993—No. 444

JUSTICES ACT 1902—RULE

(Justices (General) Rule 1993)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Justices Act 1902, has been pleased to make the Rule set forth hereunder.

J. P. HANNAFORD, M.L.C.,
Minister for Justice.

Citation

1. This Rule may be cited as the Justices (General) Rule 1993.

Commencement

2. This Rule commences on 1 September 1993.

Definitions

3. (1) In this Rule:

“the Act” means the Justices Act 1902.

(2) In this Rule, a reference to a form is a reference to a form set out in Schedule 1.

Recognizances

4. (1) For the purposes of section 153 of the Act, the recognizance referred to in that section is to be in or to the effect of Form 1.

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(2) A person who enters into a recognizance is to be given a notice in or to the effect of Form 2.

(3) The person before whom a recognizance is entered into is to deliver the recognizance to the clerk of the Local Court at which the person bound by the recognizance is to appear before the time specified in the recognizance as the time for the hearing.

Court dress

5. In proceedings under the Act in a Local Court, no Magistrate or legal practitioner may robe.

Repeals

6. The following Rules are repealed:

- (a) the Justices (Bail) Rules;
- (b) the Justices (Court Dress) Rule 1986.

SCHEDULE 1—FORMS**Form 1**

(Cl. 4)

RECOGNIZANCE**JUSTICES ACT 1902**

(Section 153)

On this day of 19, the following person (“the cognisor”):

Name:

Address:

and the following surety or sureties for the cognisor:

Name:

Address:

Name:

Address:

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each appeared personally before me and acknowledged that he or she is in debt to the Crown as follows:

.....

These amounts become payable if the cognisor fails to appear on the day of at am/pm at the Local Court to attend at the hearing of the following information or complaint:

.....

Signed*:

Dated:

* This document may be signed by a police officer of or above the rank of sergeant, a police officer for the time being in charge of a police station or a gaoler. See section 153 of the Justices Act 1900.

Form 2

(Cl. 4)

NOTICE OF RECOGNIZANCE

JUSTICES ACT 1902

(Section 153)

You are bound in the amount of \$ for the appearance of on the day of at am/pm at the Local Court to attend at the hearing of the following information or complaint:

.....

Signed* :

Dated:

* This document may be signed by a police officer of or above the rank of sergeant, a police officer for the time being in charge of a police station or a gaoler. See section 153 of the Justices Act 1900.

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SCHEDULE 1—FORMS

EXPLANATORY NOTE

The object of this Rule is to repeal and remake the provisions of the Justices (Bail) Rules and the Justices (Court Dress) Rule 1986. The Rule prescribes the manner and form in which documents relating to the granting of recognizances are to be prepared and prohibits magistrates and lawyers from wearing formal robes in Local Courts.
