

CRIMES (ROAD SAFETY) AMENDMENT ACT 1987 No. 45

NEW SOUTH WALES



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CRIMES (ROAD SAFETY) AMENDMENT ACT 1987 No. 45

NEW SOUTH WALES



Act No. 45, 1987

An Act to amend the Crimes Act 1900 with respect to the giving of evidence relating to analyses. [Assented to 21 May 1987]

Crimes (Road Safety) Amendment 1987

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Crimes (Road Safety) Amendment Act 1987".

Commencement

2. (1) Except as provided by subsections (2) and (3), this Act shall commence on the date of assent to this Act.

(2) Schedule 1 (1), and section 3 in its application to that provision, shall commence when Schedule 1 to the Motor Traffic (Road Safety) Amendment Act 1987 commences.

(3) Schedule 1 (2), and section 3 in its application to that provision, shall commence when Schedule 2 to the Motor Traffic (Road Safety) Amendment Act 1987 commences.

Amendment of Act No. 40, 1900

3. The Crimes Act 1900 is amended in the manner set forth in Schedule 1.

Crimes (Road Safety) Amendment 1987

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE CRIMES ACT 1900

Section 414A (Certificates to be evidence)—

(1) Section 414A (3A)—

After section 414A (3), insert:

(3A) A certificate which would, by virtue of section 5AB of the Motor Traffic Act 1909 (Evidence of presence of drugs), be prima facie evidence of the particulars certified in and by the certificate in proceedings for an offence under section 5 (2) of that Act shall be prima facie evidence of those particulars—

- (a) at any inquest; or
- (b) where a person is charged before a Magistrate or before any Court with an indictable offence which involved the use of a motor vehicle on a public street.

(2) Section 414A (3B)—

Before section 414A (4), insert:

(3B) A certificate which would, by virtue of section 9A of the General Traffic Act 1900 (Driving or riding while under the influence), be prima facie evidence of the particulars certified in and by the certificate in proceedings for an offence under that section shall be prima facie evidence of those particulars—

- (a) at any inquest; or
- (b) where a person is charged before a Magistrate or before any Court with an indictable offence.