

**SUPREME COURT (VIDEO LINK) AMENDMENT ACT 1992**  
**No. 69**

NEW SOUTH WALES



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**SUPREME COURT (VIDEO LINK) AMENDMENT ACT 1992**  
**No. 69**

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**Act No. 69, 1992**

An Act to amend the Supreme Court Act 1970 to enable certain proceedings to be conducted by means of video link facilities. [Assented to 4 November 1992]

**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Supreme Court (Video Link) Amendment Act 1992.

**Commencement**

2. This Act commences on a day to be appointed by proclamation.

**Amendment of Supreme Court Act 1970 No. 52**

3. The Supreme Court Act 1970 is amended by inserting after Part 7 the following Part:

**PART 7A—USE OF VIDEO LINK FACILITIES**

**Proceedings to which video link facilities apply**

110A. (1) Proceedings before the Court for the review of a decision concerning bail are to be conducted by means of video link facilities unless the Court, in the interests of justice, otherwise orders.

(2) The Court may at any time vary or revoke an order made under this Part, either of its own motion or on application by a party to the proceedings.

**Manner of operation of video link facilities**

110B. (1) Video link facilities used for the purposes of this Part are to be operated in a manner which ensures two-way audio and visual communication of television standard between the place at which the Court is sitting and the other place at which the facilities are being operated.

(2) The regulations may contain further provisions with respect to the technical and performance specifications for video link facilities.

**Facilities for private communication**

110C. Facilities are to be available for private communication between a person using the video link facilities and the person's representative in the proceedings if the person's representative is at the place where the Court is sitting.

**Premises to be considered part of Court premises**

110D. (1) Any place at which video link facilities are being used in proceedings in accordance with this Part are taken to be part of the Court premises for the purpose of conducting those proceedings.

(2) A person present at a place at which video link facilities are being used in proceedings in accordance with this Part is taken to be in the presence of the Court.

(3) If video link facilities fail in relation to proceedings, the Court may adjourn the proceedings or make such other order as is appropriate in the circumstances as if a person present at the place at which the video link facilities are located were in the presence of the Court.

#### **Entitlement to be present during proceedings**

110E. Any entitlement of a person under any law to be present in proceedings before the Court for the review of a decision concerning bail is taken to be satisfied by the use in relation to that person of video link facilities in accordance with this Part.

#### **Regulations for the purposes of this Part**

110F. The Governor may make regulations for the purposes of this Part.

#### **Review of the operation of this Part**

110G. (1) After 18 months from the commencement of this Part, the Minister is to conduct a review of the operation of video link facilities in accordance with this Part and to prepare a report on the result of the review.

(2) The Minister is to table or cause to be tabled in each House of Parliament a copy of the report, within 14 sitting days of the House after the report has been prepared.

#### **Transitional provision**

**4.** Part 7A of the Supreme Court Act 1970 (as inserted by this Act) applies to proceedings for the review of a decision concerning bail whether the proceedings for the offence from which the bail review proceedings arose were commenced before or after the commencement of this Act.

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*[Minister's second reading speech made in—  
Legislative Assembly on 29 April 1992  
Legislative Council on 27 October 1992]*