



# District Court Amendment (Criminal Procedure) Rule 2002

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 20 February 2002.

J G Cowen

Secretary to the Rule Committee

## Explanatory note

The object of this Rule is to amend Part 53 of the *District Court Rules 1973* to update certain references to provisions of the *Criminal Procedure Act 1986*.

## 2002 No 202

Clause 1

District Court Amendment (Criminal Procedure) Rule 2002

---

# District Court Amendment (Criminal Procedure) Rule 2002

## 1 Name of Rule

This Rule is the *District Court Amendment (Criminal Procedure) Rule 2002*.

## 2 Commencement

- (1) This Rule commences on the day on which it is published in the Gazette, except as provided by subclauses (2) and (3).
- (2) Schedule 1 [2] commences:
  - (a) if Schedule 1 [59] to the *Criminal Procedure Amendment (Justices and Local Courts) Act 2001* commences on or before the day on which this Rule is published in the Gazette—on the day on which this Rule is published in the Gazette, or
  - (b) if Schedule 1 [59] to the *Criminal Procedure Amendment (Justices and Local Courts) Act 2001* has not commenced on or before the day on which this Rule is published in the Gazette—on the day on which Schedule 1 [59] to that Act commences.
- (3) Schedule 1 [3] and [4] commence:
  - (a) if Schedule 1 [55] to the *Criminal Procedure Amendment (Justices and Local Courts) Act 2001* commences on or before the day on which this Rule is published in the Gazette—on the day on which this Rule is published in the Gazette, or
  - (b) if Schedule 1 [55] to the *Criminal Procedure Amendment (Justices and Local Courts) Act 2001* has not commenced on or before the day on which this Rule is published in the Gazette—on the day on which Schedule 1 [55] to that Act commences.

## 3 Amendment of District Court Rules 1973

The *District Court Rules 1973* are amended as set out in Schedule 1.

## Schedule 1 Amendments

(Clause 3)

**[1] Part 53, rule 10A**

Omit “section 19 (2) of the *Criminal Procedure Act 1986*” from rule 10A (1).

Insert instead “section 43 (2) of the *Crimes (Sentencing Procedure) Act 1999*”.

**[2] Part 53, rule 10B**

Omit “section 32” wherever occurring. Insert instead “section 132”.

**[3] Part 53, rule 10E**

Omit “section 54” from rule 10E (1). Insert instead “section 129”.

**[4] Part 53, rule 10F Applications for orders under section 129 (3) (b) of Criminal Procedure Act 1986**

Omit “section 54”. Insert instead “section 129”.