



New South Wales

Drug Court Amendment (Court Expansion) Regulation 2011

under the

Drug Court Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Drug Court Act 1998*.

VERITY FIRTH, MP
Acting Attorney General

Explanatory note

The object of this Regulation is to expand the operation of the Drug Court to the Hunter region of New South Wales. Accordingly, this Regulation amends the *Drug Court Regulation 2010*:

- (a) to allow persons who ordinarily reside in the local government areas of Cessnock City, Lake Macquarie City, Maitland City, Newcastle City or Port Stephens to be referred to the Drug Court, and
- (b) to allow the District Court sitting at East Maitland or Newcastle, and the Local Court sitting at Belmont, Cessnock, Kurri Kurri, Maitland, Newcastle, Raymond Terrace or Toronto, to refer proceedings to the Drug Court, and
- (c) to provide that persons acting on behalf of the Hunter New England Local Health Network in connection with the administration of, or provision of services in connection with, a drug offender's program are to provide certain information to the Drug Court.

This Regulation also replaces references to area health services with references to local health networks as a consequence of changes made by the *Health Services Amendment (Local Health Networks) Act 2010*.

This Regulation is made under the *Drug Court Act 1998*, including sections 5A, 6 (1), 7 (1) (b), 31 (1) and 32 (the general regulation-making power).

2011 No 19

Clause 1 Drug Court Amendment (Court Expansion) Regulation 2011

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Drug Court Act 1998

1 Name of Regulation

This Regulation is the *Drug Court Amendment (Court Expansion) Regulation 2011*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Drug Court Regulation 2010

[1] Clause 4 Eligible persons

Omit clause 4 (a). Insert instead:

- (a) the person's usual place of residence must be within one of the following local government areas:

Auburn, Bankstown City, Blacktown City, Campbelltown City, Cessnock City, Fairfield City, Hawkesbury City, Holroyd City, Lake Macquarie City, Liverpool City, Maitland City, Newcastle City, Parramatta City, Penrith City, Port Stephens, The Hills Shire,

[2] Clause 6 Referring courts—referral during proceedings

Omit the clause. Insert instead:

6 Referring courts—referral during proceedings

For the purposes of sections 6 (1) and 7 (1) (b) of the Act, the following courts and proceedings are prescribed:

- (a) the District Court, in respect of all criminal proceedings brought before it in its sittings at Campbelltown, East Maitland, Liverpool, Newcastle, Parramatta or Penrith,
- (b) the Local Court, in respect of all criminal proceedings brought before it in its sittings at Bankstown, Belmont, Blacktown, Burwood, Campbelltown, Cessnock, Fairfield, Kurri Kurri, Liverpool, Maitland, Mount Druitt, Newcastle, Parramatta, Penrith, Raymond Terrace, Richmond, Ryde, Toronto or Windsor.

[3] Clause 10 Provision of information to Drug Court

Omit clause 10 (1) (a). Insert instead:

- (a) persons acting for on or behalf of the Hunter New England, Nepean Blue Mountains, South Western Sydney, Sydney or Western Sydney Local Health Networks,