



District Court Amendment (Audio Visual Links) Rule 2012

under the

District Court Act 1973

The District Court Rule Committee has made the following rule of court under the *District Court Act 1973*.

A Grew
Secretary of the Rule Committee

Explanatory note

The object of this Rule is to amend rule 16 of Part 53 of the *District Court Rules 1973* as a consequence of amendments to the provisions of the *Evidence (Audio and Audio Visual Links) Act 1998* regulating the appearance of accused persons in court by audio visual link. Rule 16 is concerned with factors that the District Court is to take into account in determining whether to make a direction under section 5BA (1) for a child detainee to appear before the Court by audio visual link, rather than physically. The amendment brings the rule into line with a similar rule appearing in the *Children's Court Rule 2000*.

2012 No 218

Clause 1 District Court Amendment (Audio Visual Links) Rule 2012

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District Court Act 1973

1 Name of Rule

This Rule is the *District Court Amendment (Audio Visual Links) Rule 2012*.

2 Commencement

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

3 Amendment of District Court Rules 1973

(1) Part 53 Criminal procedure rules

Omit “section 5BBA” from the heading to rule 16.

Insert instead “section 5BA”.

(2) Part 53, rule 16 (1)

Omit “specified as factors”.

Insert instead “specified as additional factors”.

(3) Part 53, rule 16 (1)

Omit “section 5BBA (1)”. Insert instead “section 5BA (1)”.

(4) Part 53, rule 16 (1) (g), (k) and (n)–(q)

Omit the paragraphs.