



Criminal Procedure Amendment (Court Costs Levy) Regulation 2013

under the

Criminal Procedure Act 1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Criminal Procedure Act 1986*.

GREG SMITH, MP
Attorney General

Explanatory note

The object of this Regulation is to prescribe \$83 as the amount of the court costs levy required to be paid by certain accused persons who are found guilty of an offence in summary proceedings before the Local Court (including proceedings for an indictable offence dealt with summarily). The amount is the same as the filing fee for criminal matters in the Local Court.

This Regulation also exempts any conviction, and any order under section 10 of the *Crimes (Sentencing Procedure) Act 1999*, recorded before 13 May 2013 from liability to pay the levy.

This Regulation is made under the *Criminal Procedure Act 1986* (as amended by the *Criminal Procedure Amendment (Court Costs Levy) Act 2013*), including sections 4 (the general regulation-making power) and 211A (Imposition of court costs levy).

2013 No 194

Clause 1 Criminal Procedure Amendment (Court Costs Levy) Regulation 2013

Criminal Procedure Amendment (Court Costs Levy) Regulation 2013

under the

Criminal Procedure Act 1986

1 Name of Regulation

This Regulation is the *Criminal Procedure Amendment (Court Costs Levy) Regulation 2013*.

2 Commencement

This Regulation commences on 13 May 2013 and is required to be published on the NSW legislation website.

3 Amendment of Criminal Procedure Regulation 2010

Part 2A

Insert after Part 2:

Part 2A Court costs levy

9A Court costs levy

For the purposes of section 211A (1) of the Act, the amount of the court costs levy is \$83.

9B Exemption from liability to pay levy

For the purposes of section 211A (2) (e) of the Act, a conviction recorded before 13 May 2013 is exempt from the liability to pay the court costs levy.

Note. In this clause, a reference to a conviction includes a reference to an order made under section 10 of the *Crimes (Sentencing Procedure) Act 1999* (see section 211A (8) of the *Criminal Procedure Act 1986*).