



New South Wales

Drug Court Amendment (Eligibility Criteria) Regulation 2018

under the

Drug Court Act 1998

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

MARK SPEAKMAN, MP
Attorney General

Explanatory note

A prerequisite to certain persons who have been charged with an offence or certain convicted offenders being eligible to be referred to the Drug Court by a referring court under the *Drug Court Act 1998* is that the person must ordinarily reside in a prescribed local government area. The object of this Regulation is to update the list of prescribed local government areas as a consequence of the recent amalgamation of some of those areas. The area of operation of the Drug Court is slightly expanded as a result. This Regulation also updates references to some of the prescribed local government areas and removes obsolete references to sitting locations in provisions that prescribe referring courts for the purposes of the Act.

This Regulation is made under the *Drug Court Act 1998*, including sections 5 (1) (e), 5A (1) (f), 6 (1), 7 (1) (b), 18B (1) and 32 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Drug Court Amendment (Eligibility Criteria) Regulation 2018*.

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 2015

[1] Clause 4 Eligible person

Omit clause 4 (a). Insert instead:

- (a) the person's usual place of residence must be within one of the following local government areas:
Canterbury-Bankstown, City of Blacktown, City of Campbelltown, City of Cessnock, City of Fairfield, City of Hawkesbury, City of Lake Macquarie, City of Liverpool, City of Maitland, City of Newcastle, City of Parramatta, City of Penrith, City of Sydney, Cumberland, Port Stephens, The Hills Shire,

[2] Clause 5 Eligible convicted offender

Omit clause 5 (a). Insert instead:

- (a) the person's usual place of residence must be within one of the following local government areas:
Bayside, Burwood, Camden, Canada Bay, Canterbury-Bankstown, City of Blacktown, City of Campbelltown, City of Fairfield, City of Hawkesbury, City of Liverpool, City of Parramatta, City of Penrith, City of Randwick, City of Ryde, City of Sydney, City of Willoughby, Cumberland, Georges River, Hornsby, Hunter's Hill, Inner West, Ku-ring-gai, Lane Cove, Mosman, Northern Beaches, North Sydney, Strathfield, Sutherland Shire, The Hills Shire, Waverley, Woollahra,

[3] Clause 6 Referring courts—referral during proceedings

Omit "Richmond, Ryde," from clause 6 (b).

[4] Clause 9 Referring courts—referral of eligible convicted offenders

Omit "Balmain," "Kogarah," "North Sydney," and "Richmond, Ryde," from clause 9 (b).