



New South Wales

Children's Court Regulation 2024

under the

Children's Court Act 1987

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Children's Court Act 1987*.

MICHAEL DALEY, MP
Attorney General

Explanatory note

The object of this regulation is to repeal and remake, with minor changes, the *Children's Court Regulation 2019*, which would otherwise be repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

This regulation prescribes the kinds of appeals to the District Court in relation to a decision of the Presidential Children's Court that are taken to be appeals to the Supreme Court under the *Children's Court Act 1987*.

This regulation comprises or relates to matters set out in the *Subordinate Legislation Act 1989*, Schedule 3, namely matters of a machinery nature.

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1 Name of regulation

This regulation is the *Children's Court Regulation 2024*.

2 Commencement

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

Note— This regulation repeals and replaces the *Children's Court Regulation 2019*, which would otherwise be repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

3 Definition

In this regulation—

the Act means the *Children's Court Act 1987*.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this regulation.

4 Appeals taken to be appeals to the Supreme Court—the Act, s 22A(5)

- (1) The following appeals to the District Court in relation to a decision of the Presidential Children's Court are taken to be an appeal to the Supreme Court—
 - (a) an appeal under the *Children and Young Persons (Care and Protection) Act 1998*, section 91, 91I, 109V, 231K or 231O,
 - (b) an appeal under the *Crimes (Appeal and Review) Act 2001*, Part 3, including because of the *Bail Act 2013*, Schedule 2, clause 17,
 - (c) an appeal under the *Crimes (Domestic and Personal Violence) Act 2007*, section 84(2).
- (2) For the purposes of the appeals—
 - (a) references in provisions specified in subsection (1) to the District Court are taken to be references to the Supreme Court, and
 - (b) references to a proclaimed place in the *Crimes (Appeal and Review) Act 2001*, Part 3 must be disregarded.
- (3) The appeals are subject to the rules of court applying to appeals to the Supreme Court.

5 Repeal and savings

- (1) The *Children's Court Regulation 2019* is repealed.
- (2) An act, matter or thing that, immediately before the repeal of the *Children's Court Regulation 2019*, had effect under that regulation continues to have effect under this regulation.