

DISTRICT COURT (JUDGES) AMENDMENT BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Justices (Paper Committals) Amendment Bill 1987.

The object of this Bill is to amend the District Court Act 1973—

- (a) to enable acting Judges to be appointed to the District Court for a period not exceeding 12 months (instead of a period not exceeding 6 months);
- (b) to allow a retired Judge of any court who has not reached the age of 72 years to be appointed as an acting Judge of the District Court;
- (c) to remove the provision in the Act that prevents a Judge of the District Court from practising as, or being concerned in the practice of, a barrister or solicitor (the express prohibition does not apply to the Judges of other courts); and
- (d) to remove the provision in the Act that precludes a Judge from being elected as a member of Parliament (the provision is unnecessary since the Constitution Act 1902 already precludes persons from being elected if they hold an office of profit under the Crown).

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedule of amendments to the Principal Act.

Schedule 1 (1) gives effect to the objectives referred to in paragraphs (c) and (d) above.

Schedule 1 (2) gives effect to the objectives referred to in paragraphs (a) and (b) above.
