

Act No. 94 of 1990

**JUSTICES (COMMITTAL STATEMENTS) AMENDMENT BILL
1990**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Oaths (Children) Amendment Bill 1990.

The object of this Bill is to amend the provision of the Justices Act 1902 which deals with requirements for written statements that are to be used in committal proceedings ("paper committals"), as follows:

- To change the form of endorsement required on such a statement when made by children under 12 years of age. In general terms, the current endorsement is a promise by the person making the statement that the contents of the statement are true. It contains matter that may be difficult for children to understand and inappropriate for some children. The proposed change is intended to enable the endorsement to be more easily understood by and more appropriate for children. The form of the endorsement for other persons remains unchanged.
- To enable another person to sign such a statement on behalf of the person who made the statement if the person who made it is unable to sign.
- To make it clear that such a statement can be in the form of questions and answers.

Clause 1 - short title.

Clause 2 - commencement (a day to be appointed by proclamation).

Clause 3 - gives effect to Schedule 1.

Clause 4 is a transitional provision that continues the current form of endorsement for statements made by children before the commencement of the proposed amendments.

Schedule 1 contains the amendments described above.
