

[Act 2002 No 7]



New South Wales

Courts Legislation Amendment Bill 2002

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows:

- (a) to amend various Acts to provide that a person is qualified for appointment as a judicial officer of various courts and tribunals if the person holds or has held a judicial office of this State or of the Commonwealth, another State or a Territory (as an alternative to the existing qualification of a period of standing as a legal practitioner), and
- (b) to amend the *Judicial Officers Act 1986* to provide that the doctrine of incompatibility of office does not operate to prevent the holder of a judicial office (the *original office*) from being appointed to act in another judicial office and does not operate to surrender or vacate the original office when such an acting appointment is made.

The Bill also amends the *Judicial Officers Act 1986* to extend these amendments to past appointments.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision giving effect to the amendments set out in Schedules 1–8.

Schedules 1–7 amend the following Acts to make the amendments described in paragraph (a) of the Overview:

Supreme Court Act 1970

Land and Environment Court Act 1979

District Court Act 1973

Compensation Court Act 1984

Industrial Relations Act 1996

Government and Related Employees Appeal Tribunal Act 1980

Administrative Decisions Tribunal Act 1997

Schedule 8 amends the *Judicial Officers Act 1986* to make the amendment referred to in paragraph (b) of the Overview and the further amendment referred to in the Overview.