

[Act 1995 No 88]



New South Wales

Courts Legislation Further Amendment Bill 1995

Explanatory note

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

Overview of Bill

The object of this Bill is to make minor amendments to legislation about courts and court procedure.

Most of the amendments simplify provisions about appeals. In particular, the Bill changes:

- the circumstances in which a party has a right to appeal to the Supreme Court against a decision of the District Court, the Dust Diseases Tribunal, the Land and Environment Court, the Legal Services Tribunal or the Veterinary Surgeons Disciplinary Tribunal
- the way in which appeals to the Supreme Court are conducted
- the powers of judges of the Court of Criminal Appeal in relation to criminal appeals

* Amended in committee—see table at end of volume.

- the treatment of time spent by a convicted person in custody pending an appeal against conviction or sentence.

The Bill also changes certain other aspects of court procedure, including:

- the handling of evidence concerning indictable offences heard by coroners
- the appointment and powers of registrars of the District Court and Clerks of Local Courts
- the production of documents in response to subpoenas of the District court
- the payment of interest on judgment debts relating to costs.

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 a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the Acts set out in Schedule 1.

Clause 4 provides that explanatory notes in the proposed Act do not form part of the Act.

Schedule 1 amends certain Acts. The amendments are explained in detail in the explanatory notes in the proposed Act.