

# Courts and Other Legislation Amendment Act 2012 No 60

[2012-60]



New South Wales

## Status Information

### Currency of version

Historical version for 11 September 2012 to 28 October 2012 (accessed 2 May 2024 at 18:58)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

Some, but not all, of the provisions displayed in this version of the legislation have commenced.

### Notes—

- **Note**

Amending Acts and amending provisions are subject to automatic repeal pursuant to sec 30C of the [Interpretation Act 1987 No 15](#) once the amendments have taken effect.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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# Courts and Other Legislation Amendment Act 2012 No 60



New South Wales

An Act to make miscellaneous amendments to certain legislation with respect to courts and certain other legislation administered by the Attorney General.

## 1 Name of Act

This Act is the *Courts and Other Legislation Amendment Act 2012*.

## 2 Commencement

- (1) This Act commences on the date of assent to this Act, except as otherwise provided by this section.
- (2) Schedule 9 [1] and [2] commence on the date of assent to this Act or the commencement of Schedule 1 [20] to the *Jury Amendment Act 2010*, whichever is the later.
- (3) Schedules 5 and 10 [2] and [3] commence on a day or days to be appointed by proclamation.

## Schedules 1-4 (Repealed)

## Schedule 5 Amendment of *Criminal Procedure Act 1986 No 209*

### Section 4A Fees

Insert after section 4A (2):

- (2A) Despite subsection (2), such fees are payable by any NSW Government agency or statutory body representing the Crown prescribed by the regulations for the purposes of this subsection.

## **Schedules 6-8 (Repealed)**

### **Schedule 9 Amendment of [Jury Act 1977 No 18](#)**

#### **[1] Section 75A Information to be supplied to sheriff**

Omit section 75A (2B) and (2C) (as inserted by Schedule 1 [20] to the [Jury Amendment Act 2010](#)).

Insert instead:

- (2B) For the purposes of determining whether a person proposed to be summoned for jury service should be excluded from jury service, the sheriff may obtain the following information from Roads and Maritime Services:
- (a) the person's driver licence number,
  - (b) the person's residential address,
  - (c) if the person is disqualified from holding a driver licence and the disqualification period is 12 months or more—the date on which the person's disqualification ends.
- (2C) The sheriff and Roads and Maritime Services may enter into an arrangement in relation to the manner and form in which information requested under this section is to be provided.
- (2D) The Commissioner of Police or Roads and Maritime Services is required and permitted to comply with a request made by the sheriff under this section.

#### **[2] Section 75A (4)**

Insert after section 75A (3):

- (4) The sheriff may disclose information obtained under this section to the Commissioner of Police in connection with a request by the sheriff for information from the Commissioner of Police for the purposes of determining whether a person proposed to be summoned for jury service should be excluded from jury service.

#### **[3] (Repealed)**

### **Schedule 10 Amendment of [Land and Environment Court Act 1979 No](#)**

## 204

### **[1] (Repealed)**

### **[2] Section 63 Right of appearance**

Omit “in proceedings in Class 8 of the Court’s jurisdiction” from section 63 (2).

### **[3] Section 63 (3) and (4)**

Insert after section 63 (2):

- (3) In determining whether to grant leave for a person to appear by an agent the Court is to consider:
  - (a) whether the agent has provided the person with the information required by the rules, and
  - (b) whether granting leave is in the best interests of the person.
- (4) Leave granted under this section may:
  - (a) be granted subject to conditions, and
  - (b) be revoked at any time for any reason.

### **[4], [5] (Repealed)**

### **Schedules 11-14 (Repealed)**