

# Criminal Case Conferencing Trial Repeal Act 2012 No 4

[2012-4]



New South Wales

## Status Information

### Currency of version

Repealed version for 14 March 2012 to 14 March 2012 (accessed 20 December 2024 at 22:44)

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

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 15.3.2012.

### 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](#).

File last modified 15 March 2012

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# Criminal Case Conferencing Trial Repeal Act 2012 No 4



New South Wales

An Act to repeal the *Criminal Case Conferencing Trial Act 2008* and to make provision consequent on that repeal.

## 1 Name of Act

This Act is the *Criminal Case Conferencing Trial Repeal Act 2012*.

## 2 Commencement

This Act commences on the date of assent to this Act.

## 3 Repeal of **Criminal Case Conferencing Trial Act 2008 No 10** and Regulation

The following are repealed:

- (a) *Criminal Case Conferencing Trial Act 2008*,
- (b) *Criminal Case Conferencing Trial Regulation 2008*.

## Schedule 1 Amendment of **Crimes (Sentencing Procedure) Act 1999 No 92**

### [1] Schedule 2 Savings, transitional and other provisions

Insert at the end of clause 1 (1):

*Criminal Case Conferencing Trial Repeal Act 2012*

### [2] Schedule 2

Insert at the end of the Schedule with appropriate Part and clause numbering:

## Part Provisions consequent on repeal of **Criminal Case**

## Conferencing Trial Act 2008

### Definitions

In this Part:

**repeal date** means the date of assent to the *Criminal Case Conferencing Trial Repeal Act 2012*.

**repealed Act** means the *Criminal Case Conferencing Trial Act 2008*, as in force immediately before its repeal.

### Effect of repeal of Act

Except as provided by this Part, the repealed Act ceases to apply on and from the repeal date to and in respect of any proceedings for an offence to which the repealed Act applied immediately before the repeal date (regardless of what steps have been taken with respect to any compulsory conference under the repealed Act in the proceedings).

### Continued operation of sentencing discount arrangements

- (1) Part 4 (Sentences—guilty pleas) of the repealed Act continues to apply (as if it had not been repealed) to and in respect of the sentencing of an offender on or after the repeal date in proceedings for an offence to which the repealed Act applied immediately before the repeal date, but not to the sentencing of an offender who pleads guilty, on or after the repeal date, at any time after being committed for trial.
- (2) The repeal of the repealed Act does not affect a sentence imposed before the repeal date.

### Continued operation of certain protections and offences

The following provisions of the repealed Act continue to apply (as if the Act had not been repealed):

- (a) section 6 (4) of the repealed Act, to and in respect of the admissibility of evidence of anything said or admission made (as referred to in that provision) before the repeal date, in any proceedings before a court, tribunal or body commenced before, or on or after, that date,
- (b) section 9 (3) (as qualified by section 9 (7)) of the repealed Act, to and in respect of a pre-conference disclosure certificate filed with the Local Court before the repeal date, in relation to any Local Court proceedings with respect to the matters set out in it commenced before, or on or after, the repeal date,
- (c) section 12 (5) of the repealed Act, to and in respect of a compulsory conference

certificate filed before the repeal date,

(d) section 13 of the repealed Act, to and in respect of:

- (i) the production and admissibility of a compulsory conference certificate filed before the repeal date (or a copy of such a certificate), in any proceedings before a court, tribunal or body commenced before, or on or after, that date, and
- (ii) a disclosure of a compulsory conference certificate filed before the repeal date or a copy of such a certificate (or any of its contents) that occurs on or after the repeal date,

**Note—**

Section 13 (5) of the repealed Act creates an offence of disclosing the contents of a filed compulsory conference certificate (or copy) in contravention of section 13 (1) of the repealed Act.

(e) section 14 of the repealed Act, to and in respect of a disclosure of information referred to in that section that occurs before, or on or after, the repeal date.

**General**

- (1) The provisions of this Part are subject to any regulations made under clause 1.
- (2) Except to the extent otherwise provided by this Part, nothing in this Part affects the application of section 30 of the *Interpretation Act 1987*.