

# Courts and Crimes Legislation Further Amendment Act 2010 No 135

[2010-135]



New South Wales

## Status Information

### Currency of version

Repealed version for 2 April 2011 to 7 December 2016 (accessed 26 December 2024 at 12:34)

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—

- **Repeal**

This Act was repealed by Sch 3 (b) to the [Industrial Relations Amendment \(Industrial Court\) Act 2016 No 48](#) with effect from 8.12.2016.

- **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](#).

File last modified 8 December 2016

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# Courts and Crimes Legislation Further Amendment Act 2010 No 135



New South Wales

An Act to amend various Acts with respect to courts, crimes, evidence, criminal and civil procedure, victims compensation and other matters.

## 1 Name of Act

This Act is the *Courts and Crimes Legislation Further Amendment Act 2010*.

## 2 Commencement

- (1) This Act commences on the date of assent to this Act, except as provided by subsection (2).
- (2) The following provisions commence on the dates indicated:
  - (a) Schedule 4—25 February 2011 or such earlier day as may be appointed by proclamation,
  - (b) Schedules 6.1, 6.2, 6.4, 14 [1] and 18—a day or days to be appointed by proclamation,
  - (c) Schedule 12.2 [2]—14 January 2011,
  - (d) Schedule 14 [2]—the date of assent to this Act, or the date of commencement of Schedule 1 [2] to the *Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Act 2009*, whichever is the later.

## Schedules 1-13 (Repealed)

## Schedule 14 Amendment of **Industrial Relations Act 1996 No 17**

### [1] Section 162C

Insert after section 162B:

### **162C Exercise of certain functions under federal Act by Commissioner**

- (1) A Commissioner who is an Australian lawyer may exercise any function of the Commission in Court Session in respect of small claims proceedings.
- (2) If the Commissioner gives a direction, makes an order or does any other thing in relation to small claims proceedings, the Commission in Court Session may, on application by a party to the proceedings:
  - (a) review the direction, order or action, and
  - (b) by order confirm, vary or discharge the direction or order or take such other action as it thinks fit.
- (3) In this section:

***small claims proceedings*** means proceedings dealt with as small claims proceedings under section 548 of the *Fair Work Act 2009* of the Commonwealth.

### **[2] Section 364 Definitions (as amended by [Industrial Relations Further Amendment \(Jurisdiction of Industrial Relations Commission\) Act 2009](#))**

Insert “the Commission constituted by” before “a Commissioner who is an Australian lawyer” in paragraph (a1) in the definition of ***industrial court*** in section 364 (1).

### **Schedules 15-19 (Repealed)**