



New South Wales

District Court Legislation Amendment Bill 2025

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 the *District Court Act 1973* (***the Act***) to—
 - (i) establish the office of Deputy Chief Judge of the District Court of New South Wales (***the Court***), and
 - (ii) confer specified powers on the Chief Judge and Deputy Chief Judge of the Court to ensure the orderly and expeditious discharge of the business of the Court, and
 - (iii) provide that more than one Judicial Registrar may be appointed to the Court at a time, and
 - (iv) make other minor amendments to the Act,
- (b) to make consequential amendments to other Acts.

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.

Schedule 1 Amendment of District Court Act 1973 No 9

Schedule 1[8] provides for the office of Chief Judge of the Court. **Schedule 1[1] and [5]** make consequential amendments.

Schedule 1[9] provides for the appointment of one or more Judges to the office of Deputy Chief Judge of the Court, for respective terms of 5 years. The proposed amendment also provides that a Deputy Chief Judge may resign from the office of Deputy Chief Judge without resigning from the office of Judge, and that the Chief Judge may delegate powers to a Deputy Chief Judge.

Schedule 1[11] makes provision in relation to directions the Chief Judge and Deputy Chief Judges may give, including directions about which Judges are to exercise the Court's jurisdiction in specified matters or certain functions at proclaimed places, for the purposes of ensuring the orderly and expeditious discharge of the business of the Court. The proposed amendment also provides that a direction given by the Chief Judge prevails over a direction given by a Deputy Chief Judge. **Schedule 1[10]** makes a consequential amendment.

Schedule 1[12]–[15] and [17]–[20] provide for the appointment of more than one Judicial Registrar to the Court at a time.

Schedule 1[2]–[4], [6], [7] and [16] make consequential amendments to update language in accordance with current drafting practice.

Schedule 2 Consequential amendment of other Acts

Schedule 2.1 amends the definition of *officer* to include a Judicial Registrar of the Court for the *Civil Procedure Act 2005*.

Schedule 2.2 amends the definition of *judicial office* to include a Deputy Chief Judge of the Court for the *Constitution Act 1902*, Part 9.

Schedule 2.3 inserts Deputy Chief Judge as a public office for the *Statutory and Other Offices Remuneration Act 1975*, Schedule 1.