



New South Wales

Local Court and Bail 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—

- (a) to abolish the office of Magistrate and related judicial offices and establish the new office of Judge of the Local Court and other related judicial offices, and
- (b) to make it clear that only certain judicial officers may make bail decisions.

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 Local Court Act 2007 No 93

Schedule 1 amends the *Local Court Act 2007*—

- (a) to abolish the following offices of the Local Court—
 - (i) Chief Magistrate,
 - (ii) Deputy Chief Magistrate,
 - (iii) Magistrate, and
- (b) to establish the following new offices of the Local Court—
 - (i) Chief Judge,
 - (ii) Deputy Chief Judge,

- (iii) Judge.

The proposed schedule also contains consequential amendments to the *Local Court Act 2007*.

Schedule 2 Consequential amendments relating to new judicial offices

Schedule 2 amends—

- (a) the *Children's Court Act 1987*—
 - (i) to abolish the office of Children's Magistrate, and
 - (ii) to establish the new office of Children's Judge, and
- (b) the *Industrial Relations Act 1996*—
 - (i) to abolish the offices of Chief Industrial Magistrate and Industrial Magistrate, and
 - (ii) to establish new offices of Chief Industrial Local Court Judge and Industrial Local Court Judge.

The proposed schedule also contains consequential amendments to other legislation.

Schedule 3 Amendments relating to bail

Schedule 3 amends various legislation consequent on the amendment of the *Bail Act 2013* by the *Bail and Other Legislation Amendment (Domestic Violence) Act 2024* to insert section 70A. The proposed schedule—

- (a) extends the operation of the *Bail Act 2013*, section 70A to prevent all authorised justices, and not just registrars, from making bail decisions, and
- (b) makes consequential amendments to the *Bail Act 2013* and other legislation to make it clear that only Judges and, prior to the commencement of proposed Schedules 1 and 2, Magistrates can make bail decisions.