



New South Wales

Courts and Other Miscellaneous Legislation Amendment Bill 2013

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 *Anti-Discrimination Act 1977* to make it clear that in the case of indirect discrimination there is no need to prove that a ground of discrimination under the Act is a reason for the discriminatory requirement or condition,
- (b) to amend the *Civil Procedure Act 2005* to update the way in which the maximum total payment under a garnishee order is calculated,
- (c) to amend the *Dust Diseases Tribunal Act 1989* to enable the President of the Tribunal to delegate to another member of the Tribunal functions relating to managing the proceedings list, namely, fixing the time, place and before whom proceedings are to be held,
- (d) to amend the *Evidence (Audio and Audio Visual Links) Act 1998* to allow accused detainees to appear in first appearance bail proceedings via an audio or audio visual link during the Christmas/New Year period in each year and the Local Court Annual Conference in any year,

- (e) to amend the *Fines Act 1996* to allow certain court registrars to authorise employees of the Department of Attorney General and Justice to consider applications for further time to pay a court-imposed fine,
- (f) to amend the *Government Information (Public Access) Act 2009* to exclude information relating to the functions of the DNA Review Panel, other than its functions relating to reporting and making recommendations to the Minister, from being able to be accessed under that Act,
- (g) to amend the *Local Court Act 2007* to provide for the appointment of a legally qualified and admitted police prosecutor as a member of the Local Court Rule Committee when the Committee is exercising its functions in respect of matters relating to the Court's criminal jurisdiction,
- (h) to amend the *Young Offenders Act 1997* to authorise the exchange of information relating to early intervention and diversionary programs administered by the Department of Attorney General and Justice.

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 on the date of assent to the proposed Act.

Clause 3 makes it clear that the explanatory notes contained in proposed Schedule 1 do not form part of the proposed Act.

Schedule 1 Amendment of Acts

Schedule 1 makes the amendments described above in the Overview. The amendments are explained in detail in the explanatory note that relates to the Act concerned.