This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 28 April, 1971.



## ANNO VICESIMO

## ELIZABETHÆ II REGINÆ

## Act No. , 1971.

An Act to enable an applicant for a certificate under the Costs in Criminal Cases Act, 1967, to adduce evidence of further relevant facts not established in the proceedings in relation to which the certificate is applied for; for this purpose to amend that Act; and for purposes connected therewith.

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 $\mathbf{B}^{E}$  it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Costs in Criminal Cases Short title. (Amendment) Act, 1971".

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3A. (1) For the purpose of determining whether or Evidence not to grant a certificate under section two of this Act in  $_{relevant}^{of further}$ relation to any proceedings, the reference in paragraph facts may (a) of subsection one of section three of this Act to all the relevant facts is a reference to such of the relevant facts as were established in those proceedings together with such further relevant facts as the defendant, on the application for the certificate, has established to the satisfaction of the Court or Judge or Justice or Justices.

(2) Where, on an application for a certificate under section two of this Act in relation to any proceedings, the defendant adduces evidence to establish further relevant facts that were not established in those proceedings, the Court or Judge or Justice or Justices to which or to whom the application is made may—

(a) order that leave be given to the prosecutor in those proceedings or, in the absence of the prosecutor, to any person authorised to represent the Minister on the application, to comment on the evidence of those further relevant facts; and

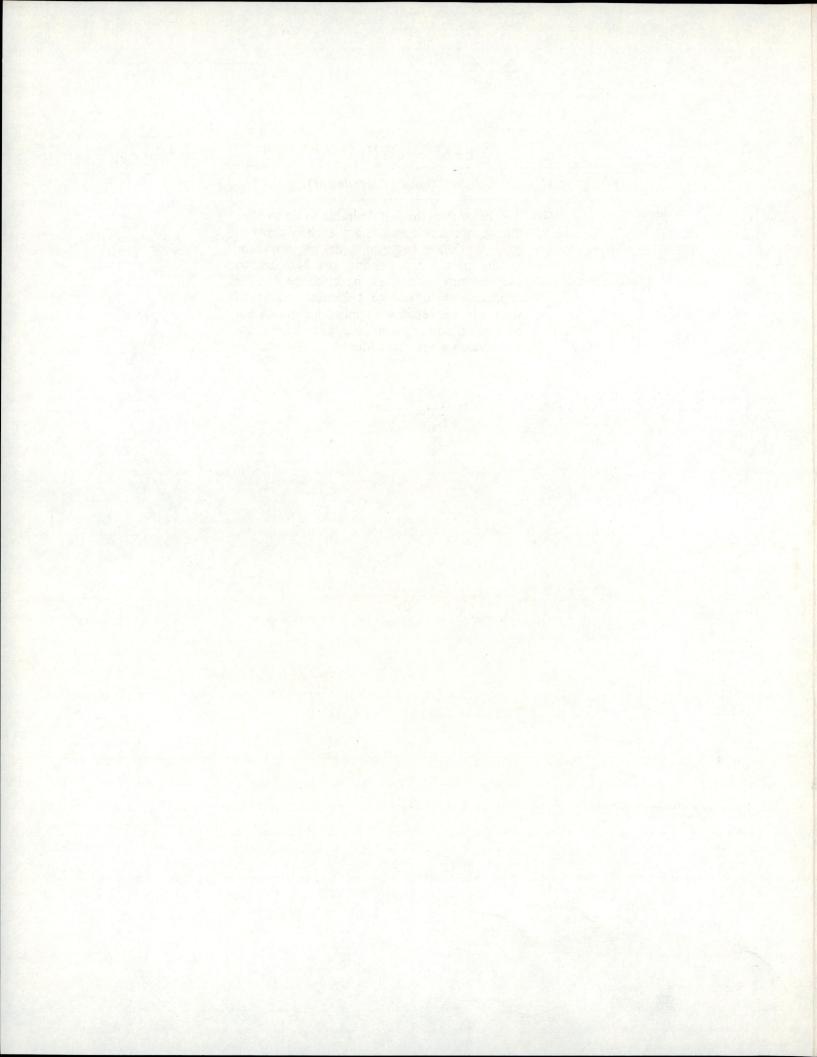
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(b)

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(b) if it, he or they think it desirable to do so after taking into consideration any such comments, order that leave be given to the prosecutor or to the person representing the Minister to examine any witness giving evidence for the applicant or to adduce evidence tending to show why the certificate applied for should not be granted and adjourn the application so that that evidence may be adduced.

BY AUTHORITY: V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971 [5c]



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#### Costs in Criminal Cases (Amenament).

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[MR MADDISON-20 April, 1971.]

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BY AUTHORITY: V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1971 [5c]

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#### Costs in Criminal Cases (Amendment)

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## COSTS IN CRIMINAL CASES (AMENDMENT) BILL, 1971

## EXPLANATORY NOTE

THE objects of this Bill are-

- (a) to enable an applicant for a certificate under the Costs in Criminal Cases Act, 1967, to adduce in support of his application evidence of further relevant facts not established in the proceedings in relation to which the certificate is applied for;
- (b) to make other provision consequential upon and ancillary to the foregoing.

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[MR MADDISON—20 April, 1971.]

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1. This Act may be cited as the "Costs in Criminal Cases Short title. (Amendment) Act, 1971".

2. The Costs in Criminal Cases Act, 1967, is amended by Amendment inserting next after section three the following new section :— of Act No. 13, 1967

13, 1967. New sec. 3A.

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(2) Where, on an application for a certificate under section two of this Act in relation to any proceedings, the defendant adduces evidence to establish further relevant facts that were not established in those proceedings, the Court or Judge or Justice or Justices to which or to whom the application is made may—

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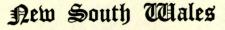
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## ELIZABETHÆ II REGINÆ

## Act No. 1, 1971.

An Act to enable an applicant for a certificate under the Costs in Criminal Cases Act, 1967, to adduce evidence of further relevant facts not established in the proceedings in relation to which the certificate is applied for; for this purpose to amend that Act; and for purposes connected therewith. [Assented to, 12th May, 1971.]

P 52997 [5c]

#### Act No. 1, 1971.

### Costs in Criminal Cases (Amendment).

**B** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

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1. This Act may be cited as the "Costs in Criminal Cases (Amendment) Act, 1971".

Amendment of Act No. 13, 1967. New sec. 3A.

Evidence of further relevant facts may be adduced. 2. The Costs in Criminal Cases Act, 1967, is amended by inserting next after section three the following new section :—

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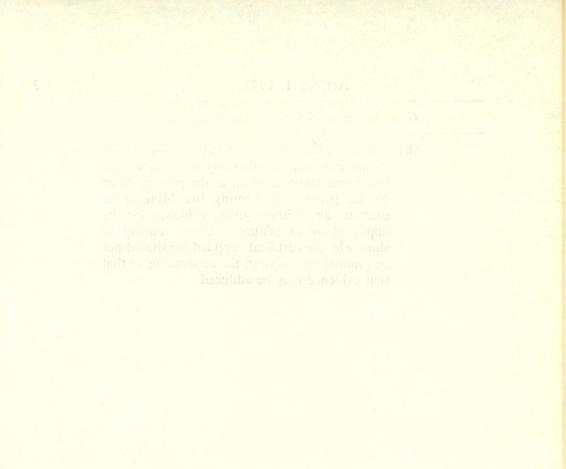
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Costs in Criminal Cases (Amendment).

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BY AUTHORITY: V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES-1971



V. C. N. BLENT, CONSTRUCT CONTROL NEW SOUTH WALKS-INIT

I certify that this PUBLIC BILL, which originated in the LEGIS-LATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

> I. P. K. VIDLER, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 5 May, 1971.

New South Wales



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BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH, Chairman of Committees of the Legislative Assembly.

**B**<sup>E</sup> it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

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In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER, Governor.

Government House, Sydney, 12th May, 1971.

