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CRIMES (BANKING TRANSACTIONS) AMENDMENT BILL, 1978

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Evidence (Amendment) Bill, 1978.

The objects of this Bill are—

(a) to extend the operation of section 415 of the Crimes Act 1900 (which relates to the proof of certain banking transactions) to banking transactions outside New South Wales;

(b) to extend the categories of persons who may give evidence of those banking transactions; and

(c) to make provisions consequential upon or ancillary to the foregoing.

CRIMES (BANKING TRANSACTIONS) AMENDMENT BILL, 1978

No. , 1978.

A BILL FOR

An Act to amend the Crimes Act 1900 with respect to the proof of banking transactions.

[MR F. J. WALKER—1 *March*, 1978.]

44856E 416—

Crimes (Banking Transactions) Amendment.

BE 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 :—

5 **1.** This Act may be cited as the "Crimes (Banking Transactions) Amendment Act, 1978". Short title.

2. The Crimes Act 1900 is amended— Amendment of Act No. 40, 1900. Sec. 415. (Proof of banking transactions.)

(a) by inserting in section 415 (1) after the word "record" where secondly occurring the words "or by an authorised
10 person who has examined the book or record";

(b) by inserting after section 415 (1) the following subsection :—

(1A) Evidence that a book or record was a book or record of a banking corporation or company may,
15 if given by an authorised person who has examined the book or record, be given on information and belief.

(c) by inserting after section 415 (3) the following subsections :—

(4) This section applies to and in respect of books
20 and records—

(a) wherever situated;

(b) whenever examined; and

(c) whether the corporation or company whose books or records they are carries on business
25 in New South Wales or elsewhere.

(5) In this section "authorised person" means—

(a) a person before whom, pursuant to section 26 of the Oaths Act, 1900, an oath, declaration or affidavit may be taken or made in a country or place outside New South Wales;

(b) a member of the police force of or above the rank of sergeant; or

(c) a person approved by the Attorney-General for the purposes of this section.

BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

[8c]

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BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

CRIMES (BANKING TRANSACTIONS) AMENDMENT ACT, 1978, No. 25

New South Wales

ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

* *

Act No. 25, 1978.

An Act to amend the Crimes Act 1900 with respect to the proof of banking transactions. [Assented to, 16th March, 1978.]

P 46075J [6c]

BE 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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Amendment of Act No. 40, 1900. Sec. 415. (Proof of banking transactions.)

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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, 16*th March,* 1978.

BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

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