

FIRST PRINT

**CRIMES (RADAR DETECTED OFFENCES) AMENDMENT
BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

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

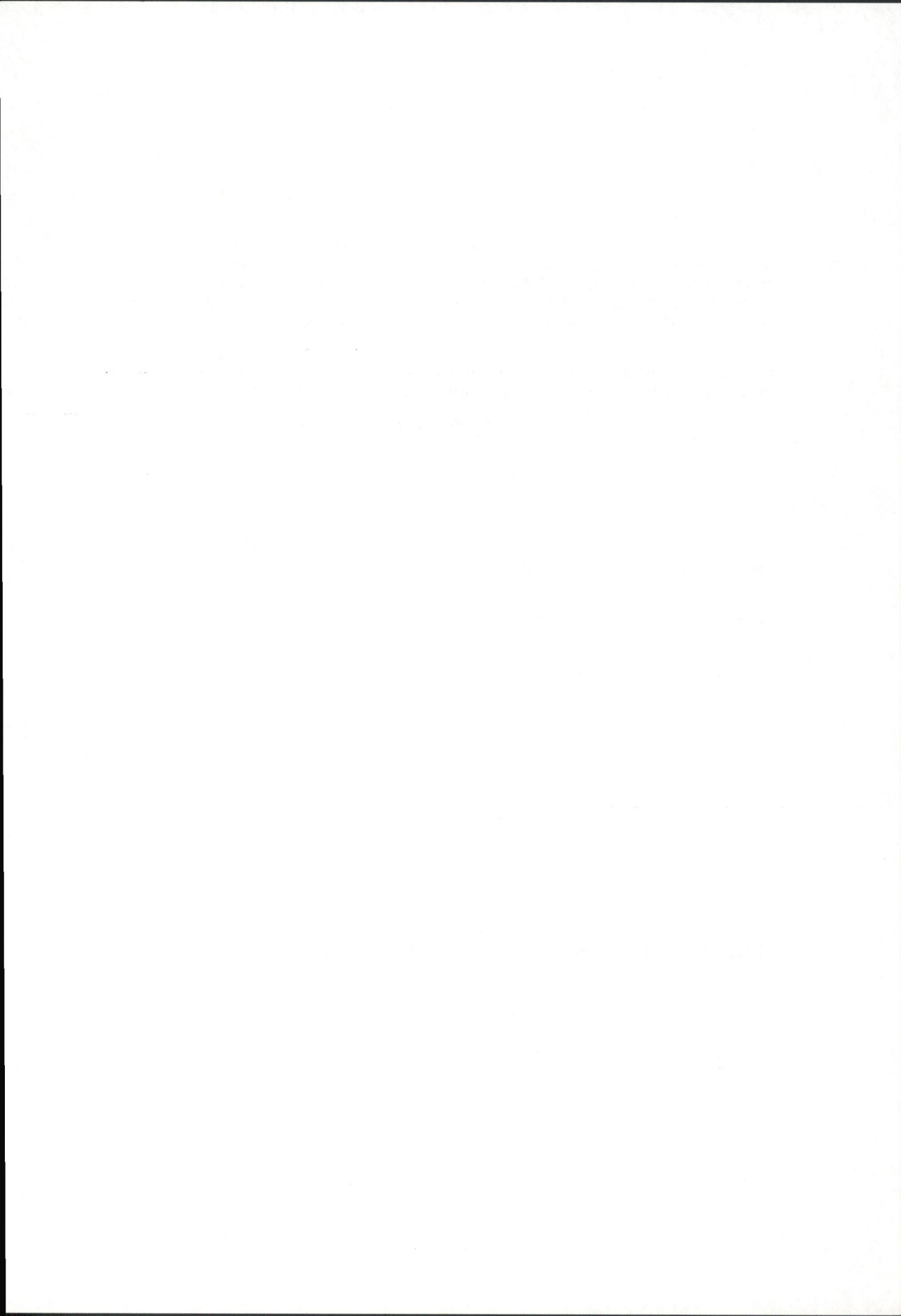
This Bill is cognate with the Motor Traffic (Radar Detected Offences) Amendment Bill 1987.

The object of this Bill is to enable the use, at inquests or in proceedings for indictable offences, of evidentiary certificates to prove the accuracy of radar speed measuring devices.

Clause 1 specifies the short title of the proposed Act.

Clause 2 specifies that the proposed Act will, with minor exceptions, commence on the commencement of the proposed Motor Traffic (Radar Detected Offences) Amendment Act 1987.

Clause 3 amends section 414A of the Crimes Act 1900 to enable a certificate to be used as evidence that a device is an approved radar speed measuring device and that it has been tested and found to be accurate and operating properly. If such a certificate is tendered, evidence must be adduced to the contrary before further evidence of the accuracy or reliability of the device will be required.



CRIMES (RADAR DETECTED OFFENCES) AMENDMENT BILL 1987

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of s. 414A (Certificates to be evidence), Act No. 40, 1900
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**CRIMES (RADAR DETECTED OFFENCES) AMENDMENT
BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Crimes Act 1900 with respect to evidence relating to approved radar speed measuring devices.

Crimes (Radar Detected Offences) Amendment 1987

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 Short title

1. This Act may be cited as the "Crimes (Radar Detected Offences) Amendment Act 1987".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Motor Traffic (Radar Detected Offences) Amendment Act 1987.

Amendment of s. 414A (Certificates to be evidence), Act No. 40, 1900

15 3. Section 414A of the Crimes Act 1900 is amended by inserting after subsection (1) the following subsections:

20 (1A) A certificate which would, by virtue of section 4AB of the Motor Traffic Act 1909, be prima facie evidence of the particulars certified in and by the certificate in proceedings for an offence shall be prima facie evidence of those particulars at any inquest or where a person is charged before a Magistrate or before any Court with an indictable offence.

25 (1B) Where any certificate is admitted in evidence by virtue of subsection (1A), evidence of the accuracy or reliability of the approved radar speed measuring device to which it relates shall not be required unless evidence that the device was not accurate or not reliable has been adduced.



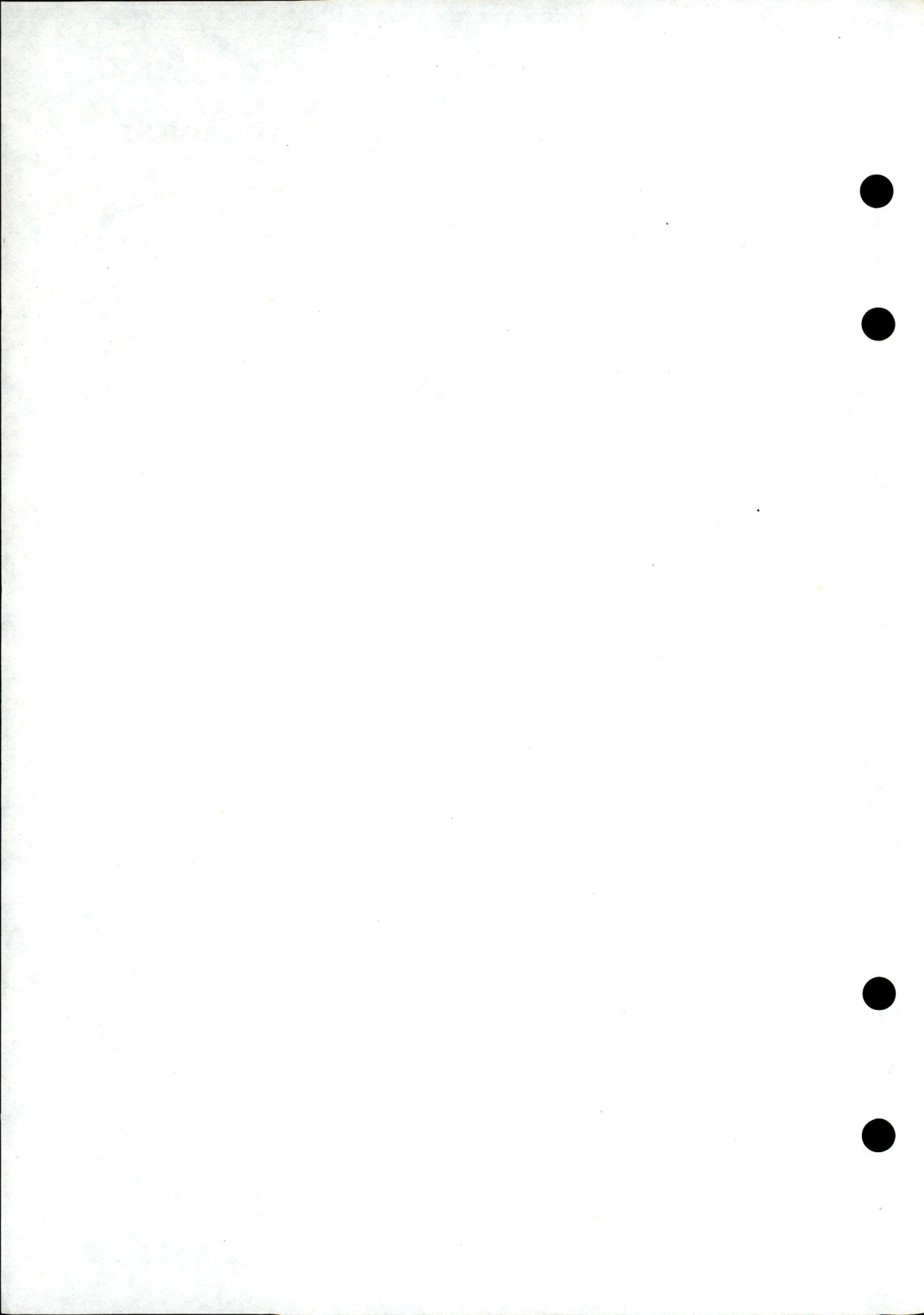
**CRIMES (RADAR DETECTED OFFENCES) AMENDMENT
ACT 1987 No. 32**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of s. 414A (Certificates to be evidence), Act No. 40, 1900
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**CRIMES (RADAR DETECTED OFFENCES) AMENDMENT ACT
1987 No. 32**

NEW SOUTH WALES



Act No. 32, 1987

An Act to amend the Crimes Act 1900 with respect to evidence relating to approved radar speed measuring devices. [Assented to 15 May 1987]

Crimes (Radar Detected Offences) Amendment 1987

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:

Short title

1. This Act may be cited as the "Crimes (Radar Detected Offences) Amendment Act 1987".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Motor Traffic (Radar Detected Offences) Amendment Act 1987.

Amendment of s. 414A (Certificates to be evidence), Act No. 40, 1900

3. Section 414A of the Crimes Act 1900 is amended by inserting after subsection (1) the following subsections:

(1A) A certificate which would, by virtue of section 4AB of the Motor Traffic Act 1909, be prima facie evidence of the particulars certified in and by the certificate in proceedings for an offence shall be prima facie evidence of those particulars at any inquest or where a person is charged before a Magistrate or before any Court with an indictable offence.

(1B) Where any certificate is admitted in evidence by virtue of subsection (1A), evidence of the accuracy or reliability of the approved radar speed measuring device to which it relates shall not be required unless evidence that the device was not accurate or not reliable has been adduced.