

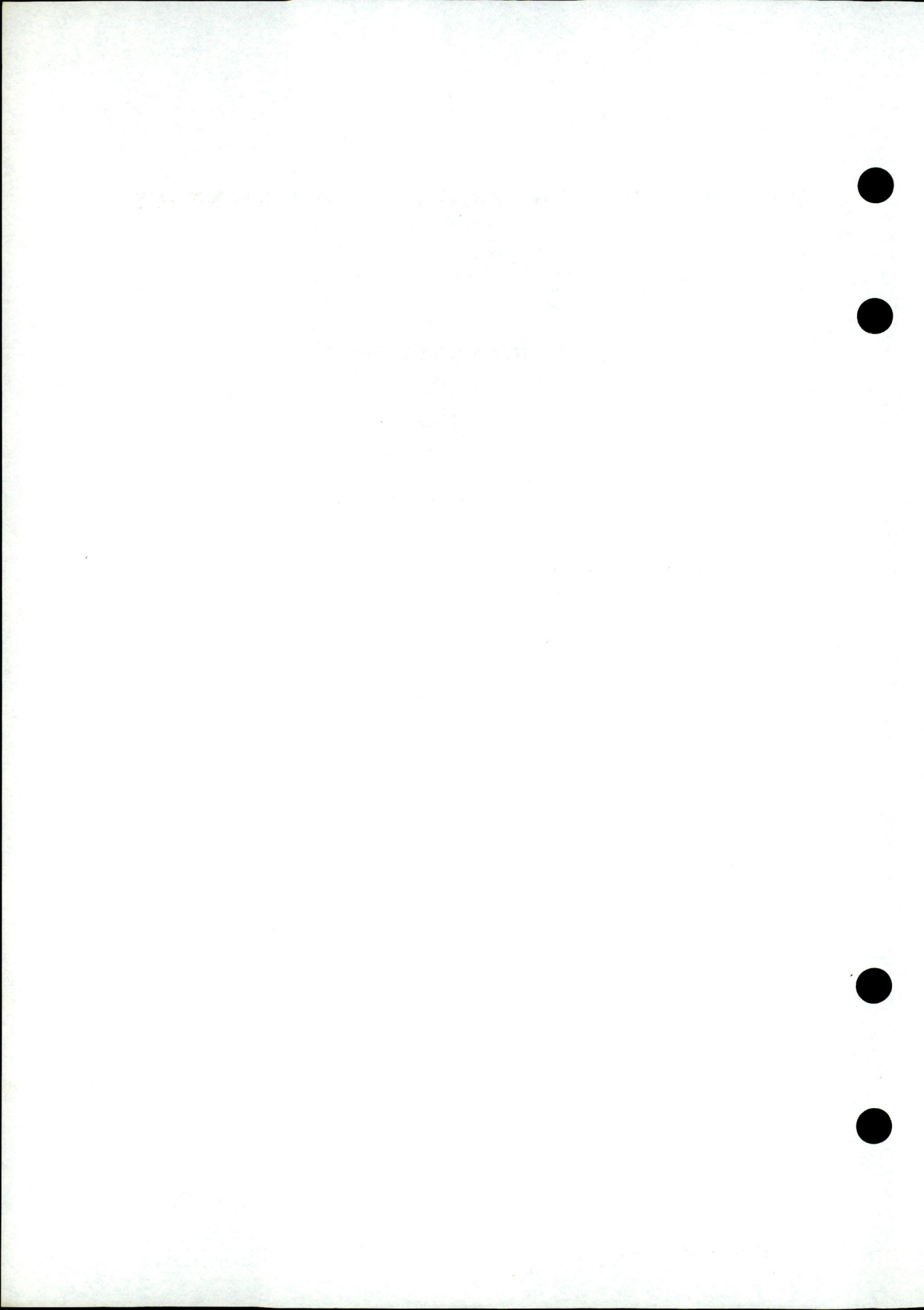
**EVIDENCE (CROWN PRIVILEGE) AMENDMENT ACT
1988 No. 3**

NEW SOUTH WALES



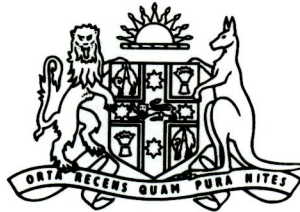
TABLE OF PROVISIONS

1. Short title
 2. Amendment of Evidence Act 1898 No. 11
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EVIDENCE (CROWN PRIVILEGE) AMENDMENT ACT 1988 No. 3

NEW SOUTH WALES



Act No. 3, 1988

An Act to repeal Part VI of the Evidence Act 1898 relating to Crown privilege. [Assented to 10 June 1988]

Evidence (Crown Privilege) Amendment 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Evidence (Crown Privilege) Amendment Act 1988.

Amendment of Evidence Act 1898 No. 11

2. The Evidence Act 1898 is amended by omitting Part VI and so much of section 1 as relates to Part VI.

FIRST PRINT

**EVIDENCE (CROWN PRIVILEGE) AMENDMENT BILL
1988**

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to repeal Part VI (Crown Privilege) of the Evidence Act 1898.

The repeal of that Part will remove from the Attorney General the power to certify conclusively that a communication relating to the administration of government at a senior level is subject to Crown privilege for the purpose of particular legal proceedings. Courts will have a discretion at common law to decide whether or not information should be subject to Crown privilege in a particular case.

Part VI was inserted by the Evidence (Amendment) Act 1979 following the decision of the High Court of Australia in *Sankey v. Whitlam and Ors.* (1979) 142 C.L.R. 1. The Part has never been used.

Clause 1 specifies the short title of the proposed Act.

Clause 2 amends the Evidence Act 1898 by repealing Part VI and a reference to the Part in section 1 (Short title and arrangement).

Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above mentioned matter. I am sorry to hear that you are unable to attend to the same at present. I will endeavor to do all in my power to expedite the same as soon as possible.

I have also the honor to acknowledge the receipt of your letter of the 12th inst. in relation to the above mentioned matter. I am sorry to hear that you are unable to attend to the same at present. I will endeavor to do all in my power to expedite the same as soon as possible.

I am, Sir, very respectfully,
Your obedient servant,
J. H. [Name]

Very respectfully,
J. H. [Name]

Very respectfully,
J. H. [Name]

EVIDENCE (CROWN PRIVILEGE) AMENDMENT BILL 1988

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
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**EVIDENCE (CROWN PRIVILEGE) AMENDMENT BILL
1988**

NEW SOUTH WALES



No. , 1988

A BILL FOR

An Act to repeal Part VI of the Evidence Act 1898 relating to Crown privilege.

Evidence (Crown Privilege) Amendment 1988

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Short title

1. This Act may be cited as the Evidence (Crown Privilege) Amendment Act 1988.

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2. The Evidence Act 1898 is amended by omitting Part VI and so much of section 1 as relates to Part VI.

