

FIRST PRINT

**MISCELLANEOUS ACTS (PUBLIC PROSECUTIONS)
AMENDMENT BILL 1986**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Director of Public Prosecutions Bill 1986.

The object of this Bill is to amend various Acts as a consequence of and in connection with the cognate Bills, and in particular as a result of—

- (a) the creation of the office of Director of Public Prosecutions;
- (b) the enactment of the general statement contained in the Criminal Procedure Bill 1986 to the effect that indictable offences are punishable in the Supreme Court or the District Court;
- (c) the abolition of the office of Clerk of the Peace; and
- (d) the abolition of “appointed places” under the District Court Act 1973 in favour of proclaimed places.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will commence on a day or days to be appointed by the Governor-in-Council, with the exception of certain provisions that will commence on the date of assent.

Clause 3 is a formal provision that gives effect to the Schedule of amendments.

Clause 4 repeals section 5 of The Australian Courts Act 1828 (9 Geo. IV, c. 83). This is proposed to be replaced by clause 4 of the Criminal Procedure Bill 1986.

Clause 5 contains savings and transitional provisions, and authorises regulations to be made where appropriate.

Schedule 1 effects the amendments mentioned above.
