



Australian Capital Territory

# **Court Procedures Regulation 2004**

**SL2004-63**

made under the

**Court Procedures Act 2004**

**Republication No 3**

**Effective: 1 July 2006 – 1 February 2009**

Republication date: 1 July 2006

Last amendment made by A2006-25

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Court Procedures Regulation 2004*, made under the *Court Procedures Act 2004* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 July 2006. It also includes any amendment, repeal or expiry affecting the republished law to 1 July 2006.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

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**Court Procedures Act 2004**

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R3  
01/07/06

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Australian Capital Territory

# Court Procedures Regulation 2004

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made under the

**Court Procedures Act 2004**

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**1 Name of regulation**

This regulation is the *Court Procedures Regulation 2004*.

**3 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

**3A Prescribed tribunal—Act, s 6**

The Legal Practitioners Disciplinary Tribunal established under the *Legal Profession Act 2006*, section 563 is prescribed for the Act, part 2 (Court rules and forms).

**4 Corresponding law—Act, s 20, def *corresponding law***

The following laws are declared to be laws that correspond to the Act, part 4 (Crown proceedings):

- *Crown Proceedings Act* (NT)
- *Crown Proceedings Act 1992* (SA)
- *Crown Proceedings Act 1993* (Tas).

**5 Judicial authority—Act, s 57, def *judicial authority***

For the Act, part 7 (Examination of witnesses outside the ACT but in Australia)—

- (a) the Supreme Court of New South Wales, the District Court of that State and each Local Court of that State are prescribed as judicial authorities for that State; and
- (b) the Supreme Court of Victoria, the County Court of that State and the Magistrates' Court of that State are prescribed as judicial authorities for that State; and

- (c) the Supreme Court of Queensland, each District Court of that State and the Magistrates Court of that State are prescribed as judicial authorities for that State; and
- (d) the Supreme Court of South Australia, each District Criminal Court of that State, each Local Court of that State and each Court of Summary Jurisdiction of that State are prescribed as judicial authorities for that State; and
- (e) the Supreme Court of Tasmania, each Court of Petty Sessions of that State and each Court of Requests of that State are prescribed as judicial authorities for that State; and
- (f) the Supreme Court of Western Australia is prescribed as a judicial authority for that State; and
- (g) the Supreme Court of the Northern Territory, each judge of the Supreme Court of that Territory and each magistrate of that Territory are prescribed as judicial authorities for that Territory; and
- (h) the Supreme Court of Christmas Island is prescribed as a judicial authority for the Territory of Christmas Island; and
- (i) the Supreme Court of Norfolk Island is prescribed as a judicial authority for the Coral Sea Islands Territory and for the Territory of Norfolk Island; and
- (j) the Supreme Court of the Northern Territory is prescribed as a judicial authority for the Territory of Ashmore and Cartier Islands; and
- (k) the Supreme Court of the Territory of Cocos (Keeling) Islands is prescribed as a judicial authority for that Territory.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired



### 3 Legislation history

#### **Court Procedures Regulation 2004 SL2004-63**

notified LR 23 December 2004

s 1, s 2 commenced 23 December 2004 (LA s 75 (1))

remainder commenced 10 January 2005 (s 2 and see Court Procedures Act 2004 A2004-59, s 2 and CN2004-29)

as amended by

#### **Justice and Community Safety Legislation Amendment Act 2005 (No 4) A2005-60 sch 1 amdt 1.82**

notified LR 1 December 2005

s 1, s 2 taken to have commenced 23 November 2005 (LA s 75 (2))

sch 1 amdt 1.82 commenced 22 December 2005 (s 2 (4))

#### **Legal Profession Act 2006 A2006-25 sch 2 pt 2.4**

notified LR 21 June 2006

s 1, s 2 commenced 21 June 2006 (LA s 75 (1))

sch 2 pt 2.4 commenced 1 July 2006 (s 2)

### 4 Amendment history

#### **Commencement**

s 2 om LA s 89 (4)

#### **Prescribed tribunal—Act, s 6**

s 3A ins A2006-25 amdt 2.5

#### **Judicial authority—Act, s 57, def *judicial authority***

s 5 reloc from Evidence Regulation 1992 s 2 by A2005-60 amdt 1.82

## Endnotes

5 Earlier republications

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### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 10 Jan 2005	10 Jan 2005- 21 Dec 2005	not amended	new regulation
R2 22 Dec 2005	22 Dec 2005– 30 June 2006	A2005-60	amendments by A2005-60

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