

CLAUSE NOTES

Evidence and Related Legislation Amendment Bill 2017

- Clause 1: Short title of the Bill.
- Clause 2: The Act commences on Royal Assent.
- Clause 3: In Part 2 of the Bill the Principal Act is the *Criminal Code Act 1924*.
- Clause 4: Amends Schedule 1 of the Principal Act inserting new Section 326A which includes a definition of “sexual offence” and provides that where two or more sexual offences are joined on the same indictment there is a presumption that the charges are to be tried together.
- New section 326A(3) also provides that the presumption is not rebutted merely because the evidence on one charge is inadmissible on another charge.
- Clause 5: In Part 3 of the Bill the Principal Act is the *Evidence Act 2001*.
- Clause 5: Amends Section 101 of the Principal Act to provide that the possibility of collusion, concoction or suggestion is not relevant to the admissibility of tendency or coincidence evidence.
- Clause 7: Provides that this Act is repealed a year after it commences.