

CLAUSE NOTES

Magistrates Court (Criminal and General) Division Bill 2019

PART 1 - PRELIMINARY

- Clause 1: Short Title.
- Clause 2: Commencement.
- Clause 3: Sets out the objects of the Act.
- Clause 4: Defines words and phrases used in the Act.
- Clause 5: Defines the phrase *minor crime*.
- Clause 6: Defines the phrases *electable offence* and *elected summary offence*.
- Clause 7: Provides for the appointment of a bench justice and the revocation, variation or suspension of that appointment.
- Clause 8: Provides that a bench justice may constitute the Court in accordance with the Act.

PART 2 – ESTABLISHMENT OF CRIMINAL AND GENERAL DIVISION OF MAGISTRATES COURT

- Clause 9: Establishes the Criminal and General Division of the Magistrates Court.
- Clause 10: Sets out how the Court may be constituted.

PART 3 – JURISDICTION OF COURT

- Clause 11: Sets out the jurisdiction of the Court both generally and specifically for its various permissible constitutions.
- Clause 12: Provides for how a decision is to be reached in a Court constituted of 2 or more bench justices and the procedure to be followed if the bench justices are evenly divided.
- Clause 13: Sets out the appointment and jurisdiction of an authorised justice.
- Clause 14: Sets out what is to occur if it is discovered during proceedings that the Court as constituted does not have jurisdiction to hear and determine the proceeding.

PART 4 – GENERAL PROCEDURE

- Clause 15: Sets out the procedure for obtaining an arrest warrant from a district registrar or justice and the matters to be taken into account in deciding whether to issue an arrest warrant.
- Clause 16: Provides that an application for, and an arrest warrant may be made or issued by the use of electronic communication.
- Clause 17: Provides for the issue of an arrest warrant by the Court after the commencement of proceedings.
- Clause 18: Sets out the procedure following the arrest of a person.
- Clause 19: Provides for representation of a party by a legal practitioner.
- Clause 20: Provides that a Court may direct a party, witness of other person to attend before the Court by audio or audio-visual link and what the Court should take into account before making such a direction.
- Clause 21: Provides that a Court may make an order requiring a party to attend before the Court or, if the party is not the defendant, produce to the Court a document or other thing.
- Clause 22: Requires a party to comply with an order to attend unless the party has a reasonable excuse for not complying and sets out the consequences of failing to comply with an order to attend.
- Clause 23: Provides for issuing of a witness attendance notice and specifies who may issue such a notice and what is to be taken into account if the application to issue the notice is made by an unrepresented party who is not a public officer.
- Clause 24: Provides that a District Registrar may amend a witness attendance notice if it is necessary to attend the day, time or place of attendance.
- Clause 25: Provides a penalty for failing to comply with a witness attendance notice without reasonable excuse, provides for the Court to issue an arrest warrant in certain circumstances and sets out the powers of the Court when the arrested person is brought before the Court.
- Clause 26: Provides for the dismissal of a witness on the giving of an undertaking to the Court. Sets out a non-exclusive list of conditions that may be imposed on an undertaking and the possible consequences of failing to enter into an undertaking or failing to comply with an undertaking.

- Clause 27: Provides for the payment of expenses to a witness in certain circumstances.
- Clause 28: Provides for the limited circumstances in which the Court may hear and determine a charge in the absence of the defendant or his or her legal representative or hear and determine an application in the absence of the respondent or his or her legal representative. Provides for the issuing of an arrest warrant to bring a defendant before the Court for the purpose of sentencing and limits the sentence that may be imposed in the absence of a defendant.
- Clause 29: Sets out when an order made in the absence of a defendant or respondent may be set aside and the consequences of that setting aside.
- Clause 30: Provides for the adjournment of proceedings including matters to be taken into account in determining whether to adjourn. Provides for adjournment on written consent signed by all parties.
- Clause 31: Sets out what the Court may order in respect of the defendant where proceedings are adjourned.
- Clause 32: Provides that the Court may not admit to bail a person aged 17 years or over who is charged with murder or treason.
- Clause 33: Gives the Court the power to remove or refer proceedings to the Court constituted differently or another division of the Magistrates Court.
- Clause 34: Sets out the procedure for committing a defendant on remand to the secure mental health unit.
- Clause 35: Sets out the procedure for varying or revoking an order committing a defendant to a secure mental health unit.
- Clause 36: Allows the Court to make an ancillary order in respect of any matter for which it has jurisdiction.
- Clause 37: Provides for the Administrator to apply to the Supreme Court under the *Vexatious Proceedings Act 2011*.
- Clause 38: Provides that practice and procedure of the Court and practice directions are to be in accordance with the rules of court.

PART 5 – COMMENCING PROCEEDINGS FOR SUMMARY OFFENCE OR INDICTABLE OFFENCE

- Clause 39: Sets out which offence proceedings may be commenced in the Court

- Clause 40: Provides that proceedings for summary or indictable offences may be commenced by filing a court attendance notice or a charge sheet.
- Clause 41: Provides limits on who may commence proceedings for an offence under the *Criminal Code Act 1924*.
- Clause 42: Sets out the content and form of a charge sheet and who may sign a charge sheet.
- Clause 43: Sets out when more than one offence may be joined in one charge sheet
- Clause 44: Provides for more than one prescribed defendant (defined in the clause) to be joined in a charge sheet. Allows the Court, on application by a prescribed defendant, to order a separate hearing in respect of one or more charges.
- Clause 45: Provides for the filing of the charge sheet. Provides that failure to provide a charge sheet to the defendant as required by the Act does not invalidate the proceedings but may give rise to an adjournment.
- Clause 46: Sets out when a defendant may not object to a charge sheet and provides for a Court to amend a charge sheet to disclose an allegation of an offence or to cure another defect. Provides for the dismissal of proceedings if the charge sheet does not contain an allegation of an offence but has not been amended by the Court, or if it appears to the court that the defendant has been prejudiced.
- Clause 47: Set out when a charge sheet may be amended to remove a charge for an offence, when the Court may not grant leave to amend a charge sheet, the matters the Court must take into account in determining whether to grant leave and when the amendment takes effect. Sets out the effect of removing a charge for an offence and provides that removal of a charge from a charge sheet does not prevent a later charge for the same offence being made.
- Clause 48: Provides for the withdrawal of a charge sheet by the prosecutor prior to or at the first attendance. Provides for the withdrawal of a charge sheet after the first attendance but before final determination of proceedings with the leave of the Court and sets out matters the Court is to take into account. Sets out when the withdrawal of the charge sheet takes effect. Sets out the effect of withdrawing a charge sheet and provides that withdrawal of a charge because of the withdrawal of a charge sheet does not prevent a later charge for the same offence being made.

- Clause 49:** Provides that the defendant may obtain a copy of the charge sheet free of charge, at any time after they are required to be provided with a preliminary brief.
- Clause 50:** Sets out the relationship of Part 5 with other law.
- Clause 51:** Provides for a District Registrar to issue a court attendance notice to a defendant where the prosecutor is a private prosecutor. Provides that the prosecutor is responsible for service of the court attendance notice.
- Clause 52:** Sets out when a prescribed prosecutor may issue a court attendance notice to a person. Provides that the prosecutor is responsible for service of the court attendance notice and sets out when the court attendance notice, charge sheet and/or other information must be filed.
- Clause 53:** Provides that a defendant, on receiving a court attendance notice, is to provide to the prosecutor the name and an address (which may be an electronic address) where information, documents and other things are to be provided, and that information, documents and other things provided to this address are taken to have been effectively provided to the defendant unless there is a statutory requirement for personal service or service by other means or at a different address.
- Clause 54:** Requires a defendant to comply with a court attendance notice and sets out consequences of failing to do so without reasonable excuse.
- Clause 55:** Sets out the content and form of a court attendance notice and who may sign a court attendance notice.
- Clause 56:** Sets out when a court attendance notice may be withdrawn and when withdrawal takes effect. Provides that if the court attendance notice is withdrawn after the filing of a charge sheet, the charge is taken to be withdrawn and the defendant is taken not to have been charged with the offence. Provides that withdrawal of a court attendance notice does not prevent the issuance of another court attendance notice in respect of the same conduct or prevent a later charge for the same offence being made.
- Clause 57:** Provides that a notice or direction issued under the rules of court that requires a defendant to attend Court at a specified time, date and place is taken, if appropriate, to be a court attendance notice.

PART 6 – PRE-HEARING PROCEDURES RELATING TO OFFENCES

- Clause 58:** Defines terms for the purposes of the Part.

- Clause 59: Defines *record of interview* for the purposes of the Part.
- Clause 60: Defines *prosecutor* for the purposes of the Part.
- Clause 61: Requires the prosecutor to provide a preliminary brief to the defendant at their first attendance before the court or as soon as reasonably practicable afterwards if that attendance is under section 18 (following arrest), or 21 days prior to the defendant's first attendance before the court if that attendance is in accordance with a court attendance notice or bail notice.
- Clause 62: Sets out what a preliminary brief is to contain and provides that the contents of a preliminary brief may be provided in instalments.
- Clause 63: Requires the prosecutor in a summary offence to provide a defendant who has pleaded not guilty with a summary offence brief at least 28 days prior to a case management hearing or the hearing of the charge. Provides for the Court to vary the day by which the summary offence brief is provided or vary the information, documents and things that are required to be included in the summary offence brief.
- Clause 64: Sets out what a summary offence brief is to contain and provides that the contents of a summary offence brief may be provided in instalments.
- Clause 65: Requires the prosecutor for an indictable offence to provide an indictable offence brief after the defendant's first attendance and before their second attendance.
- Clause 66: Sets out what an indictable offence brief is to contain and provides that the contents of an indictable offence brief may be provided in instalments.
- Clause 67: Provides that a prosecutor has a continuing obligation of disclosure to the defendant.
- Clause 68: Provides that a prosecutor is to allow the viewing of an audio-visual recording, document or thing that is required to be provided to a defendant, if the prosecutor has included in a brief a statement that the recording, document or thing may be viewed.
- Clause 69: Provides that a prosecutor is not obliged to disclose certain personal details, such as an address, unless those details are relevant to the alleged offence and the disclosure is not likely to cause risk to the life or safety of any person, or unless the Court allows or requires the disclosure.

The prosecutor may delete, blank out or render illegible an address or number before providing that information or those documents.

- Clause 70:** Provides that a prosecutor is not required to provide sensitive material to a defendant but must provide a notice to the defendant describing the sensitive material and setting out how to arrange a viewing of the sensitive material. *Sensitive material* is defined in the section and includes child exploitation material, obscene or indecent material and recordings or photographs of an *affected person* (defined in section 4).
- Clause 71:** Provides that a requirement under Part 6, Division 2 to provide documents or other material is subject to the laws relating to privilege and public interest immunity.
- Clause 72:** Provides that disclosure is not required if the information, document or thing has already been provided or disclosed to the defendant or is under the possession or control of the defendant. If disclosure occurred at a time when the defendant had no legal representation, the prosecutor is to provide the information, document or thing to the defendant's legal representative as soon as practicable after receiving a written request to do so from the legal representative.
- Clause 73:** Sets out what the Court may do if satisfied that the prosecutor has failed to disclose or provide documents and other things as required.
- Clause 74:** Provides that, except as provided in sections 69 and 70, nothing in this Division derogates from a prosecutor's duty under common law to disclose information to the defendant.
- Clause 75:** Provides that unless required by law or authorised by the Court, the use or disclosure of disclosed documents and other things for purposes not connected with the proceedings is an offence.
- Clause 76:** Provides that the Court is to warn a defendant of the need for the defendant to give notice of an intention to use *admissible opinion evidence* (defined within this section).
- Clause 77:** Sets out the notice a defendant is required to give the prosecutor of an intention to use admissible opinion evidence. This section mirrors section 368B of the *Criminal Code Act 1924*.
- Clause 78:** Provides for the service on or provision to the defendant of documents and information by electronic communication.

PART 7 – SUMMARY OFFENCE PROCEDURES

- Clause 79: Defines *hearing* for the purpose of the Part.
- Clause 80: Sets out the time limits for commencing proceedings for a summary offence.
- Clause 81: Sets out what is to happen at a defendant's first attendance before the Court on a charge for a summary offence.
- Clause 82: Provides that on a first attendance before a court for a summary offences a defendant is to plead, unless the Court determines otherwise in the interests of justice. Sets out alternative pleas that a defendant may enter, what is to happen if a defendant pleads that further proceedings may not be taken, what happens if a defendant stands mute when asked to plead and that the plea may be made by the defendant or his or her legal representative, if the court consents.
- Clause 83: Provides that if a defendant enters a plea of not guilty when unrepresented by a legal representative and they later retain a legal representative, the legal representative is to notify the prosecutor that he or she is representing the defendant as soon as reasonably practical after the plea is entered.
- Clause 84: Sets out the procedure to be followed if the defendant has been provided with a court attendance notice or bail notice for a summary offence and fails to attend before the Court as required.
- Clause 85: Sets out the objects of Part 7, Division 4 – Case management and case management hearings.
- Clause 86: Provides that a Court may determine that a case management hearing should be conducted if a defendant pleads not guilty to a summary offence, and sets out the purposes of a case management hearing.
- Clause 87: Obliges the prosecution and defendant to be prepared to commence a case management hearing on the day set by the Court for the hearing.
- Clause 88: Provides for the Court to list a case management hearing for a day that is earlier than the one that was previously set.
- Clause 89: Sets out orders that the Court may make during a case management hearing.
- Clause 90: Provides that during a case management hearing, the Court may give an indication of the sentence that it would impose if a plea of guilty was entered to the charge or any alternative charge. Provides that a sentence indication is to be given after the Court

has considered victim impact statements. Provides that if a sentence indication is given, the hearing of the charge or any related matter is to proceed before a differently constituted Court.

Clause 91: Provides that at any time during proceedings the Court may review the progress of proceedings and make orders or give directions for the efficient and timely disposal of proceedings. Notice of the review is to be given to the prosecutor and defendant.

Clause 92: Provides that the Court may order that other charges against the defendant be heard at the case management hearing, if the Court considers it is in the interests of justice to do so.

Clause 93: Provides that, in specified circumstances where the defendant does not attend Court, the charge sheet may be received by the Court as sufficient evidence of the matters contained in it.

Clause 94: Provides that persons who commit, enable or aid (by act or omission), abet or instigate the commission of an offence may also be found guilty of that offence.

Clause 95: Provides that where two or more persons form a common intention to pursue an unlawful purpose and in pursuit of that purpose a summary offence is committed in circumstances when its commission was a probable consequence, each of those persons is taken to have committed that summary offence.

Clause 96: Sets out when an offence of attempting to commit a summary offence or the committal of an actual summary offence may be found. If a person is found to have attempted to commit an offence, they are not liable to be tried for committing the actual offence.

Clause 97: Sets out what constitutes the offence of attempting to commit an offence.

Clause 98: Provides that an attempt to commit a summary offence is triable and punishable in the same manner as the offence attempted.

PART 8 – INDICTABLE OFFENCES TRIABLE SUMMARILY AND PROCEDURES

Clause 99: Sets out what is categorised as a minor crime that is triable summarily.

Clause 100: Provides that a minor crime that is triable summarily is to be dealt with as a summary offence, unless the Court determines that the offence is to be dealt with by the Supreme Court.

- Clause 101:** Sets out when a defendant may elect to have an indictable offence dealt with by the Magistrates Court or the Supreme Court, including circumstances where consent must be given by the prosecutor or the Court and the prosecutor must agree that the offence is suitable to be tried before the Court. Provides that the Court may override a defendant's election to have a matter tried summarily and commit the defendant to trial in the Supreme Court at any time during proceedings.
- Clause 102:** Provides that indictable procedures apply to an electable offence until a defendant elects, or is taken to have elected, to have the matter dealt with summarily. If the defendant elects or is taken to have elected to have the matter dealt with summarily then the summary offence procedures apply. If the defendant elects to have the matter dealt with by indictment then the indictable procedures continue to apply.
- Clause 103:** Requires the Court to warn the defendant on a charge for an electable offence of the need to give notice to the prosecutor of an intention to adduce evidence of an alibi, if the defendant enters a plea, other than a plea of guilty.
- Clause 104:** Sets out the requirements of an alibi notice to be provided by a defendant in an electable offence to the prosecutor if the defendant intends to adduce alibi evidence.
- Clause 105:** Sets out when an offence of attempting to commit a minor crime or electable offence or the committal of an actual minor crime or electable summary offence may be found proved.
- Clause 106:** Provides for a Court to find an alternative offence (as defined) proved. Provides for the Court to commit a defendant to the Supreme Court for sentencing and sets out what is to be forwarded to the Supreme Court.

PART 9 – INDICTABLE OFFENCE PROCEDURES

- Clause 107:** Sets out what is to happen at the first attendance before the Court of a defendant charged with an indictable offence.
- Clause 108:** Provides that if proceedings for an indictable offence are adjourned at a first attendance, the legal representative of the defendant is to notify the prosecutor of his or her representation of the defendant as soon as is reasonably practicable.
- Clause 109:** Sets out what is to happen at the defendant's next attendance at Court after a first attendance adjournment following no plea or any plea other than a guilty plea.

- Clause 110: Sets out the alternative pleas that a defendant charged with an indictable offence may enter. Provides for what is to happen if the defendant stands mute, refuses to plead or does not answer directly to the charge.
- Clause 111: Provides that if the defendant fails to make a definite election, he or she is taken to have elected to have the offence dealt with by the Court.
- Clause 112: Sets out the procedure for committal of a defendant to the Supreme Court where the charge is not a minor crime or an electable offence that the defendant has elected to be heard summarily.
- Clause 113: Sets out the procedure for preliminary proceedings following a preliminary proceedings order made by the Supreme Court. Provides for the taking of evidence of witnesses in preliminary proceedings and sets out who may not be excluded from, and who the Court may permit to be present at, the room or place in which proceedings are conducted. Provides for the Supreme Court to give directions relating to the conduct or finalisation of preliminary proceedings.
- Clause 114: Prohibits the publishing of information given in preliminary proceedings or an account of preliminary proceedings unless the Court approves such publication.

PART 10 – APPLICATION PROCEDURES

- Clause 115: Defines *application proceedings*, *applicant* and *respondent* for the purposes of the Part.
- Clause 116: Provides that application proceedings are to be commenced by the filing of an application and affidavit.
- Clause 117: Sets out the content and form of an application under section 116.
- Clause 118: Provides that an affidavit stating the nature of the applicant's claim and the material facts on which that claim is based must be provided in support of an application.
- Clause 119: Provides for the service of an application and accompanying affidavit on respondents to the application.
- Clause 120: Provides for the Court to allow commencement of application proceedings by oral application to the Court.
- Clause 121: Sets out the application of Part 4 (General Procedure) to application proceedings.

Clause 122: Provides for the Chief Magistrate to issue written practice directions in relation to the application of the Act to application proceedings and for those practice directions to be published. Provides for a district registrar to give directions and provide clarification to a person who intends to commence application proceedings or a party to application proceedings.

PART 11 – BREACH OF DUTY PROCEDURES

Clause 123: Sets out the application of the Act to proceedings for a breach of duty.

Clause 124: Provides for the Chief Magistrate to issue written practice directions in relation to the application of the Act to a breach of duty and for those practice directions to be published. Provides for a district registrar to give directions and provide clarification to a person who intends to commence proceedings for a breach of duty or a party to proceedings for a breach of duty.

PART 12 – APPEALS AND REVIEWS

Clause 125: Defines words and phrases used in the Part.

Clause 126: Provides that an order committing a defendant to be dealt with by the Supreme Court is not subject to review or appeal under the Part.

Clause 127: Provides for appeal to a Court constituted by a magistrate from a bail order made by an authorised justice or one or more bench justices within 21 days after the making of the order.

Clause 128: Sets out the procedure for commencing an appeal under section 127.

Clause 129: Provides that an appeal under section 127 is to be heard by way of a new hearing.

Clause 130: Sets out what the Court may order after it has heard an appeal under section 127.

Clause 131: Provides for appeal to a Court constituted by a magistrate from an order (other than a bail order) made by an authorised justice or one or more bench justices within 21 days after the making of the order. Pending determination of the appeal, provides for the Court to stay proceedings, suspend the operation of an order, admit the appellant or respondent to bail or remand the appellant or respondent in custody, subject to any conditions the Court considers appropriate.

- Clause 132:** Sets out the procedure for commencing an appeal under section 131.
- Clause 133:** Provides that an appeal under section 131 is to be heard by way of a new hearing.
- Clause 134:** Sets out what the Court may order after it has heard an appeal under section 131. Provides that where the appeal is in relation to an order imposing a sentence, the Court may take into account any matter relevant to sentencing that occurred between the time the order was made and the time the appeal was heard, but must not take into account any element of double jeopardy in order to impose a less severe sentence than it would otherwise consider appropriate.
- Clause 135:** Provides for an appeal to the Supreme Court in relation to a bail order made by a magistrate within 21 days after the making of the order. Provides that a defendant may only appeal an order made by a magistrate on a formal bail application.
- Provides that a person (other than a defendant) may appeal a bail order made by a magistrate to the Supreme Court within 21 days after the making of the bail order, regardless of whether or not the bail order was made on a formal bail application.
- Clause 136:** Sets out the procedure for commencing an appeal under section 135.
- Clause 137:** Provides that an appeal under section 135 is to be heard by way of a new hearing.
- Clause 138:** Sets out what the Court may order after it has heard an appeal under section 135.
- Clause 139:** Provides for a review by the Supreme Court of an order (other than a bail order) made by a magistrate within 21 days after the making of the order.
- Clause 140:** Requires a district registrar who is served with a copy of an application for review (under section 139) to deliver the copy to the magistrate who made the order, to transmit any prescribed documents to the Registrar of the Supreme Court and to take steps to preserve any recording of the proceedings. Provides for the review applicant and review respondent to obtain from the district registrar a certified recording of the audio, audio-visual or digital recording of Court proceedings to which the application relates, unless no recording exists or it is so unclear as to prevent the making of a comprehensible copy, and any prescribed documents.

- Clause 141: Provides that on the hearing of an application for review, a review applicant may only rely on grounds stated in the application. Provides for the Supreme Court to allow the applicant to add, strike out or amend grounds.
- Clause 142: Sets out the orders that the Supreme Court may make arising from interlocutory proceedings.
- Clause 143: Provides for the constitution of the Supreme Court for the hearing of an application for review.
- Clause 144: Sets out the requirements of the Supreme Court to have regard to documents and affidavits at a hearing for an application to review.
- Clause 145: Sets out what the Supreme Court may order after it has heard an application for review. Provides that where the Supreme Court is reviewing a sentencing order, it may take into account any matter relevant to sentencing that occurred between the time the order was made and the time the application for review was determined, but must not take into account any element of double jeopardy so as to impose a less severe sentence than it would otherwise consider appropriate.
- Clause 146: Provides for a person who has filed or been served with an application for review to apply to the Supreme Court to have the matter heard by the Supreme Court as a new hearing.
- Clause 147: Provides for an appeal to the Full Court from a ruling or order made by the Supreme Court on a point of law or on the admission or rejection of evidence relating to an application to review.
- Clause 148: Provides for the appellant to be admitted to bail or remanded in custody where an appeal is made under section 147.
- Clause 149: Provides that proceedings may not be quashed under this Part for want of form.
- Clause 150: Provides for the Supreme Court to make an order as to costs.
- Clause 151: Provides for any person aggrieved by an order made in proceedings under this Part to apply to the Court for relief within 21 days after the making of the order. Provides for the Court to stay proceedings, suspend the operation of an order or admit the applicant to bail.

PART 13 – COSTS

- Clause 152: Set out the orders the Court may make in relation to costs.

- Clause 153: Provides for the Court to have regard to any scale of costs, fees or expenses prescribed in the rules of court. Provides for a district registrar to carry out an assessment of costs and for the assessment to be subject to review by the Court.
- Clause 154: Requires the parties to proceedings to comply with the procedure for assessing costs prescribed by the rules of court.
- Clause 155: Sets out the relationship of Part 13 with other law.

PART 14 – MISCELLANEOUS

- Clause 156: Prohibits the publishing of information given in proceedings, an account of proceedings or any other information relating to proceedings if the Court has made an order prohibiting publication of that information or account.
- Clause 157: Provides for the disposal of property in relation to which an offence is alleged to have been committed and which is in the possession of a police officer, in certain circumstances.
- Clause 158: Sets out exemptions to the payment of fees by public officers and employees or officers of statutory authorities in respect of proceedings under the Act.
- Clause 159: Provides for the Court, the Administrator or a district registrar to waive, reduce or refund a fee, or to allow time for payment, if satisfied that paying a fee would cause undue hardship to a person.
- Clause 160: Provides for the validation of an order made or document issued under the Act despite a want of form, defect or error and regardless of whether it was validly made or issued.
- Clause 161: Provides for the Chief Magistrate to approve forms to be used for the purposes of the Act.
- Clause 162: Provides for rules of court to be made for the purposes of the Act.
- Clause 163: Provides for regulations to be made for the purposes of the Act.
- Clause 164: Sets out the administrative arrangements for the Act.
- Clause 165: Provides that the legislation specified in Schedule 3 is repealed.
- Clause 166: Provides that the legislation specified in Schedule 4 is rescinded.
- Schedule 1: Specifies the crimes under the *Criminal Code* that are triable summarily under section 99 of the Act.

- Schedule 2:** Specifies the crimes under the *Criminal Code* that are triable summarily on election under section 101 of the Act.
- Schedule 3:** Specifies the legislation that is repealed under section 165 of the Act.
- Schedule 4:** Specifies the legislation that is rescinded under section 166 of the Act.