

TASMANIA

**CRIMINAL CODE AMENDMENT (CRIMINAL
JURISDICTION OF THE ASSOCIATE JUDGE)
BILL 2023**

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**CRIMINAL CODE AMENDMENT (CRIMINAL
JURISDICTION OF THE ASSOCIATE JUDGE)
BILL 2023**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

LAURA ROSS, *Clerk of the House*
14 September 2023

*(Brought in by the Minister for Justice, the Honourable Elise
Nicole Archer)*

A BILL FOR

An Act to amend the *Criminal Code Act 1924*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Criminal Code Amendment (Criminal Jurisdiction of the Associate Judge) Act 2023*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

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3. Principal Act

In this Act, the *Criminal Code Act 1924** is referred to as the Principal Act.

4. Schedule 1 amended (*Criminal Code*)

After section 371A of the Principal Act, the following section is inserted in Chapter XL:

372. Powers of Associate Judge

- (1) The Chief Justice may issue a direction that empowers the Associate Judge to exercise the powers of the Supreme Court other than –
 - (a) the conducting of a trial in relation to a crime; and
 - (b) the imposing of a sentence in respect of a crime; and
 - (c) the hearing of an appeal in relation to bail.
- (2) For the avoidance of doubt, if the Associate Judge is empowered to exercise the powers of the Supreme Court by virtue of a direction issued under subsection (1) –
 - (a) the Associate Judge may exercise those powers in the same manner

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as they may be exercised by the Court and subject to the same provisions; and

- (b) a reference in this Act, or any other Act, to the Court or a judge in relation to those powers includes a reference to the Associate Judge.

5. Repeal of Act

This Act is repealed on the first anniversary of the day on which this Act commenced.