



Australian Capital Territory

Evidence Regulations 1992 No 9

made under the

Evidence Act 1971

Republication No 1

Republication date: 1 August 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Evidence Regulations 1992*, made under the *Evidence Act 1971* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 August 2002. It also includes any amendment, repeal or expiry affecting the republished law to 12 September 2001.

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):

- 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 includes 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.

Amendments incorporated to
12 September 2001



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Contents

	Page
1 Name of regulations	2
2 Judicial authorities—Act, pt 12A	2
Endnotes	
1 About the endnotes	4
2 Abbreviation key	4
3 Legislation history	5
4 Amendment history	5

Amendments incorporated to
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Australian Capital Territory

Evidence Regulations 1992

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1 Name of regulations

These regulations are the *Evidence Regulations 1992*.

2 Judicial authorities—Act, pt 12A

For the Act, section 85B, definition of *judicial authority*—

- (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

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.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

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

3 Legislation history

These regulations were originally called the *Evidence Regulations* and were originally made under a Commonwealth ordinance—the *Evidence Ordinance 1971* No 4 (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT, and the regulations made under them, into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. The *Evidence Ordinance 1971* and the *Evidence Regulations 1992* were converted into ACT enactments on 1 July 1992 under the *Australian Capital Territory (Self-Government) Act 1988* (Cwlth). (The *Australian Capital Territory (Self-Government) Regulations 1989* No 86 (Cwlth) added the *Evidence Ordinance 1971* to the list of ordinances that were to be converted into ACT enactments on 1 July 1992.)

As with most ordinances in force in the ACT, the name of the ordinance was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on its conversion to an ACT enactment on 1 July 1992.

These regulations were renamed as the *Evidence Regulations 1992* under the *Legislation Act 2001*.

Before 12 September 2001, regulations commenced on their notification day unless otherwise stated (see *Subordinate Laws Act 1989* s 6).

Evidence Regulations 1992 No 9

notified 17 June 1992

commenced 17 June 1992

as amended by

Legislation (Consequential Amendments) Act 2001 No 44 pt 135

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 135 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

4 Amendment history

Name of regulations

reg 1 hdg am R1 LA

reg 1 am R1 LA

Judicial authorities—Act, pt 12A

reg 2 om Act 2001 No 44 amdt 1.1579

ins Act 2001 No 44 amdt 1.1580

Judicial authorities—part 12A of the ordinance

reg 3 om Act 2001 No 44 amdt 1.1580

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