

EXPLANATORY STATEMENT
AUSTRALIAN CAPITAL TERRITORY
EVIDENCE (AMENDMENT) ORDINANCE 1985
No. 19 of 1985

This Ordinance amends the Evidence Ordinance 1971 ("the Principal Ordinance") by omitting certain references to the Deputy Crown Solicitor and substituting references to the Director of Public Prosecutions or a person authorized by the Director.

The Director of Public Prosecutions has assumed responsibility for the prosecution of offences against laws in force in the Australian Capital Territory. Prior to the appointment of the Director, responsibility for such prosecutions rested with the Australian Government Solicitor (formerly the Deputy Crown Solicitor, Australian Capital Territory).

The Principal Ordinance contained a number of references to the Deputy Crown Solicitor in connection with criminal proceedings. The provisions are primarily of a machinery nature.

Details of the Ordinance are as follows:

Section 1 provides that the Ordinance may be cited as the Evidence (Amendment) Ordinance 1985.

Section 3 amends section 5 of the Principal Ordinance by deleting the definition in that section of "Deputy Crown Solicitor".

Section 4 repeals section 27A of the Principal Ordinance. That section allowed an authorized person employed in the office of the Deputy Crown Solicitor, who was not a barrister and solicitor, to appear on behalf of an informant in a criminal proceeding. As there are now no such persons conducting prosecutions in the Australian Capital Territory on behalf of the Commonwealth, the section was redundant.

Sections 5, 6, 7, and 8 amend sections 101, 106, 107 and 225, respectively, of the Principal Ordinance by omitting references to the Deputy Crown Solicitor and substituting references to the Director of Public Prosecutions or a person authorized by the Director of Public Prosecutions.

Authorised by the
Attorney-General

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