



Queensland

# **Criminal Practice Amendment Rule (No. 1) 2011**

## **Explanatory Notes for SL 2011 No. 87**

made under the

*Supreme Court of Queensland Act 1991*

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## **General outline**

### **Short title**

*Criminal Practice Amendment Rule (No. 1) 2011.*

### **Authorising law**

Section 118 and 118A of the *Supreme Court of Queensland Act 1991*

### **Policy objectives and the reasons for them**

The primary objective of the *Criminal Practice Amendment Rule (No. 1) 2011* (the amendment rule) is to make minor technical amendments to the *Criminal Practice Rules 1999* (the Practice Rules). It is necessary to amend Schedule 3 of the Practice Rules to omit Form 165 so as to reflect the repeal of section 319A of the Criminal Code by the *Criminal Code and Other Acts Amendment Act 2008*, and re-insert Form 175 which was incorrectly repealed by *Criminal Practice Amendment Rule (No. 1) 2010*.

### **Consistency with policy objectives of authorising law**

The amendment rule is consistent with the main objectives of the *Supreme Court of Queensland Act 1991*.

### **Inconsistency with policy objectives of other legislation**

The amendment rule is consistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

There are no costs associated with the implementation of the amendment rule.

### **Consistency with Fundamental Legislative Principles**

The amendment rule is consistent with fundamental legislative principles.

### **Consultation**

Consultation on the amendment rule occurred with the Supreme Court Rules Committee and approval for the proposed amendments was provided.

### **Reasons for non-inclusion of information**

Information regarding alternative ways of achieving the policy objectives has not been included as the amendment rule only makes minor technical amendments, and there are no alternative ways the objectives can be achieved.

### **Notes on Provisions**

#### **PART 1 - Preliminary**

*Clause 1* provides for the short title to the amendment rule as the *Criminal Practice Amendment Rule (No. 1) 2011*.

*Clause 2* provides that the amendment rule amends the *Criminal Practice Rules 1999*.

*Clause 3* amends Schedule 3 by omitting Form 165 and inserting Form 175.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General.

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