

NORTHERN TERRITORY OF AUSTRALIA

SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) ACT 1983

As in force at 29 July 2020

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 29 July 2020

SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) ACT 1983

An Act relating to evidence and procedure in the examination of witnesses and the trial of persons in respect of sexual offences

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Sexual Offences (Evidence and Procedure) Act 1983*.

2 Commencement

This Act shall come into operation on the commencement of the *Criminal Code Act 1983*.

3 Definitions

In this Act:

complainant means a person on or against whom a sexual offence is alleged to have been committed.

defendant means a person charged with having committed a sexual offence.

examination of witnesses means an examination of witnesses in relation to a sexual offence, commenced after the commencement of this Act and taken under Part V of the *Local Court (Criminal Procedure) Act 1928*.

report means an account in writing or an account broadcast by wireless telegraphy in sound or in visual images.

sexual offence means an indictable offence involving:

- (a) sexual intercourse or sexual penetration; or
- (b) a sexual relationship; or
- (c) sexual abuse; or

- (d) indecent touching or an indecent assault; or
- (e) any other indecent act directed against a person or committed in the presence of a child; or
- (f) the making, collection, exhibition or display of an indecent object or indecent material; or
- (g) sexual servitude or any other form of sexual exploitation; or
- (h) an attempt to commit, an act of procuring, or any other act preparatory to the commission of, any of the above.

trial means a trial of a defendant or a proceeding taken with a view to sentencing a defendant found guilty of a sexual offence which, in either case, is commenced after the commencement of this Act.

Note for section 3

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

3AB Relationship with Evidence (National Uniform Legislation) Act 2011

This Act applies in addition to, and does not affect the operation of, the *Evidence (National Uniform Legislation) Act 2011*.

3AC Application of Criminal Code

Part IIAA of the Criminal Code applies to an offence against this Act.

Note for section 3AB

Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.

Part 2 Evidence and Procedure for Sexual Offences

3A Time limit on prosecutions

- (1) If the charge of a sexual offence is to be dealt with summarily, the trial must be commenced within 3 months of the matter being first mentioned in court.
- (2) If a person is charged with an indictable offence that is a sexual offence, a preliminary investigation under Part V, Division 1 of the *Local Court (Criminal Procedure) Act 1928* must be commenced within 3 months of the matter being first mentioned in court.

- (3) If the charge of a sexual offence is to be dealt with on indictment, the trial must be commenced within 3 months of the person being committed for trial.
- (4) The court in which the person is to be tried, or which is to conduct a preliminary examination (as the case may be) may, if it thinks fit, at any time and despite that the period fixed by subsection (1), (2) or (3) (as the case may be) has expired, grant an extension, not exceeding 3 months, of the period.
- (5) More than one extension may be granted under subsection (4).

4 Rules of evidence in relation to sexual offences

- (1) In an examination of witnesses or a trial, whether or not it relates also to a charge of an offence other than a sexual offence against the same or another defendant, except with the leave of the court, evidence shall not be elicited or led, whether by examination in chief, cross-examination or re-examination, relating to:
 - (a) the complainant's general reputation as to chastity; or
 - (b) the complainant's sexual activities with any other person,and the leave of the court shall not be granted unless the court is satisfied that the evidence sought to be elicited or led has substantial relevance to the facts in issue.
- (2) For the purposes of subsection (1)(b), evidence that relates to or tends to establish the fact that the complainant was accustomed to engage in sexual activities with any other person, shall not be regarded:
 - (a) as having substantial relevance to the facts in issue by reason only of an inference it may raise as to general disposition; or
 - (b) as being proper matter for cross-examination as to credit, in the absence of special circumstances by reason of which it would be likely materially to impair the confidence in the reliability of the evidence of the complainant.
- (3) For the purposes of subsection (1)(b), and without derogating from the relevance of other evidence in an examination of witnesses or a trial, evidence of an act or event that is substantially contemporaneous with an offence with which a defendant is charged, or that is part of a sequence of acts or events that explain the circumstances in which the alleged offence was committed, shall be regarded as having substantial relevance to the facts in issue.

- (4) An application for leave of the court for the purposes of subsection (1)(b) shall be made in the absence of the jury, if any, and, if the defendant so requests, in the absence of the complainant, and shall be determined after the court has allowed such submissions or evidence, given on oath or otherwise, as it considers necessary for the determination of the application.
- (5) On the trial of a person for a sexual offence or an assault with intent to commit such an offence:
- (a) the Supreme Court Judge shall not warn, or suggest in any way to, the jury that it is unsafe to convict on the uncorroborated evidence of a complainant because the law regards complainants as an unreliable class of witness; and
- (b) where:
- (i) evidence is given; or
- (ii) a question is asked of a witness; or
- (iii) a statement is made in the course of an address on evidence,
- which tends to suggest that there was delay in making a complaint about the alleged sexual offence, or alleged assault with intent to commit such an offence, by the person against whom the offence is alleged to have been committed, the Supreme Court Judge shall:
- (iv) warn the jury that delay in complaining does not necessarily indicate that the allegation is false; and
- (v) inform the jury that there may be good reasons why a victim of a sexual offence may hesitate in complaining about it.
- (6) Nothing in subsection (5) prevents a judge from making any comment on evidence given in a trial that it is appropriate to make in the interests of justice.

5 Leave required for unrepresented defendant to cross-examine complainant

- (1) In an examination of witnesses or a trial, a defendant who is not represented by a legal practitioner is not entitled to cross-examine the complainant directly.

- (2) The court must, as soon as practicable, explain to the defendant:
- (a) the prohibition against directly cross-examining the complainant and the effect of the prohibition; and
 - (b) that if the defendant does not cross-examine the complainant, the defendant will not be permitted to adduce evidence in relation to a fact in issue in order to contradict the evidence of the complainant; and
 - (c) that the defendant can arrange for a legal practitioner to cross-examine the complainant on the defendant's behalf; and
 - (d) that the defendant must notify the court of the name of the arranged legal practitioner by a date specified by the court; and
 - (e) that if the defendant does not wish to make such an arrangement, or if the defendant fails to notify the court of the name of a legal practitioner by the date specified:
 - (i) the court will decide whether it is necessary in the interests of justice to appoint a legal practitioner to cross-examine the complainant for the defendant; and
 - (ii) if the court decides that it is necessary – the court may appoint a legal practitioner to cross-examine the complainant for the defendant, or make any other order the court considers necessary.
- (3) If the defendant does not wish to make such an arrangement, or if the defendant fails to notify the court of the name of a legal practitioner by the date specified:
- (a) the court must decide whether it is necessary in the interests of justice to appoint a legal practitioner to cross-examine the complainant for the defendant; and
 - (b) if the court decides that it is necessary – the court may appoint a legal practitioner (the **appointed person**) to cross-examine the complainant for the defendant, or make any other order the court considers necessary.

- (4) If the defendant wishes to cross-examine the complainant, the defendant must put any question to the appointed person and the appointed person must put the question to the complainant, unless the appointed person considers the question to be improper.

Notes for subsection (4)

- 1 *The appointed person need not use the exact same words as the defendant when putting a question.*
- 2 *The court can also rule that a question is improper and need not be answered – see section 41(2) of the Evidence (National Uniform Legislation) Act 2011.*
- 3 *See section 41(3) of the Evidence (National Uniform Legislation) Act 2011 for the meaning of "improper question".*
- (5) If the defendant does not give any instructions to an appointed person, the appointed person must act in the best interests of the defendant.
- (6) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith as an appointed person for this section.

5A Warning

If a defendant cross-examines a complainant through an appointed person, the court must issue a warning to the jury (if any) to the effect that:

- (a) the procedure is a routine practice of the court; and
- (b) no adverse inference is to be drawn against the defendant as a result of the use of the arrangement; and
- (c) the evidence of the complainant is not to be given any greater or lesser weight because of the use of the arrangement.

6 Disclosing identity of complainant

- (1) A person commits an offence if:
- (a) the person intentionally publishes or makes a statement or representation; and
 - (b) the publication or making of the statement or representation results in the disclosure of any of the following particulars at any time:
 - (i) the name, address, school or place of employment of a complainant;

- (ii) any other particular likely to lead to the identification of a complainant; and
- (c) the person is reckless in relation to the result referred to in paragraph (b).

Maximum penalty: 50 penalty units or imprisonment for 6 months.

- (2) It is a defence to a prosecution for an offence against subsection (1) if:
 - (a) no proceeding in relation to the sexual offence that was alleged to have been committed is pending in a court when the statement or representation is published or made; and
 - (b) the affected complainant or, if there is more than one affected complainant, each affected complainant:
 - (i) consented in writing to the publication or making of the statement or representation before it was published or made; and
 - (ii) was an adult with capacity to consent when consenting.
- (3) Subsection (1) does not apply to a statement or representation exempted under section 8.
- (4) In this section:

affected complainant means a complainant whose particular referred to in subsection (1)(b) is disclosed as a result of the publication or making of the statement or representation.

capacity, for a person to consent, means the person:

- (a) is capable of freely and voluntarily consenting; and
- (b) is not incapable of consenting because of mental impairment as defined in section 43A of the Criminal Code.

7 Disclosing identity of defendant

- (1) A person commits an offence if:
 - (a) the person intentionally publishes or makes a statement or representation; and

- (b) the statement or representation is published or made before a defendant is committed for trial or sentence on a charge of having committed the sexual offence to which the statement or representation relates; and
- (c) the publication or making of the statement or representation results in the disclosure of any of the following particulars:
 - (i) the name, address, school or place of employment of a defendant;
 - (ii) any other particular likely to lead to the identification of the defendant; and
- (d) the person is reckless in relation to the circumstance referred to in paragraph (b) and the result referred to in paragraph (c).

Maximum penalty: 40 penalty units or imprisonment for 6 months.

- (2) Subsection (1) does not apply to a statement or representation exempted under section 8.

8 Exempted statements and representations

- (1) For sections 6(3) and 7(2), a statement or representation is exempted if it is published or made:
 - (a) in a report made verbatim of a judgment or decision delivered in a trial or an appeal proceeding arising from a trial and published in a recognised series of law reports; or
 - (b) in a report for or to any of the following entities for the purposes of the entity:
 - (i) the Agency primarily responsible for law and the administration of justice;
 - (ii) the Director of Public Prosecutions;
 - (iii) the Police Force of the Northern Territory;
 - (iv) an Agency primarily responsible for health, welfare and community services; or
 - (c) for an investigation into a complaint made by or on behalf of a complainant; or

- (d) for the purposes of preparing for or conducting an examination of witnesses, a trial or an appeal proceeding arising from a trial; or
 - (e) in accordance with a court order or direction made under section 9.
- (2) For section 7(2), a statement or representation is also exempted if:
- (a) it is published or made in a report about an examination of witnesses that discloses any particular of a defendant referred to in section 7(1)(c) who, as a result of the examination, is committed for trial or sentence on a charge of having committed a sexual offence; and
 - (b) it is published or made after the committal order is made; and
 - (c) it does not disclose any particular of any other defendant who is not committed.

9 Court may authorise disclosure

- (1) A court may order that a person is authorised to publish or make a statement or representation that would otherwise be an offence against section 6 or 7.
- (2) The court must consider the wishes of a complainant when making an order in relation to a statement or representation that discloses any particular that is likely to lead to the identification of the complainant.
- (3) The order may specify the particulars that may be disclosed and the extent to which publication or making of the statement or representation is permitted.
- (4) Before the commencement of an examination of witnesses or a trial, a court may direct that section 6(1) or 7(1) does not apply in relation to a specified complainant or defendant if:
 - (a) a defendant applies to the court for a direction under this subsection; and
 - (b) the court is satisfied that:
 - (i) the direction is required for the purpose of inducing persons to come forward who are likely to be needed as witnesses at the examination or trial; and

- (ii) the conduct of the applicant's defence at the examination of witnesses or trial is likely to be substantially prejudiced if the direction is not given.
- (5) A court may direct that section 6(1) does not apply in relation to a specified complainant if:
 - (a) a defendant who is found guilty of committing a sexual offence:
 - (i) gives notice of appeal or an application for leave to appeal against the finding of guilt to the court; and
 - (ii) applies to the court for a direction under this subsection; and
 - (b) the court is satisfied that:
 - (i) the direction is required for the purpose of obtaining evidence in support of the appeal; and
 - (ii) the applicant is likely to suffer substantial injustice if the direction is not given.

10 Contravention of order

A person who is required to comply with an order made under section 9(1) commits an offence if:

- (a) the person intentionally engages in conduct; and
- (b) the conduct results in contravention of the order and the person is reckless in relation to the result.

Maximum penalty: 40 penalty units or imprisonment for 6 months.

11 Contempt

If a person is charged with or found guilty of an offence against section 6, 7 or 10, the court may also deal with the person for contempt of court.

12 Protection additional

Sections 6 and 7 do not derogate from any other law directed towards the protection from identification of a witness or other person in an examination of witnesses or a trial.

13 Criminal liability of executive officer of body corporate – evidential burden of proof on defence

- (1) An executive officer of a body corporate commits an offence if the body corporate commits an offence by contravening a declared provision (a **relevant offence**).

Maximum penalty: The maximum penalty that may be imposed on an individual for the relevant offence.

- (2) An offence against subsection (1) is an offence of absolute liability.
- (3) It is a defence to a prosecution for an offence against subsection (1) if:
- (a) the defendant was not in a position to influence the conduct of the body corporate in relation to the contravention; or
 - (b) the defendant took reasonable steps to prevent the contravention; or
 - (c) the defendant did not know, and could not reasonably have been expected to know, that the contravention would happen.
- (4) In deciding whether the defendant took (or failed to take) reasonable steps to prevent the contravention, a court must consider the following:
- (a) any action the defendant took directed towards ensuring the following (to the extent the action is relevant to the contravention):
 - (i) the body corporate arranged regular professional assessments of the body corporate's compliance with the declared provision;
 - (ii) the body corporate implemented any appropriate recommendation arising from an assessment under subparagraph (i);
 - (iii) the body corporate's employees, agents and contractors had a reasonable knowledge and understanding of the requirement to comply with the declared provision;
 - (b) any action the defendant took when the defendant became aware that the contravention was, or could be, about to happen.
- (5) Subsection (4) does not limit the matters the court may consider.

- (6) This section does not affect the liability of the body corporate.
- (7) This section applies whether or not the body corporate is prosecuted for, or found guilty of, the relevant offence.
- (8) This section does not apply if the body corporate would have a defence to a prosecution for the relevant offence.
- (9) In this section:

declared provision means:

- (a) section 6, 7 or 10; or
- (b) a provision of the Regulations prescribed by regulation.

executive officer, of a body corporate, means a director or other person who is concerned with, or takes part in, the management of the body corporate.

Part 3 Transitional matters

Division 1 Transitional matters for Statute Law Amendment (Directors' Liability) Act 2015

14 Offences – before and after commencement

- (1) Section 13, as inserted by the *Statute Law Amendment (Directors' Liability) Act 2015*, (the **new section**) applies in relation to a relevant offence committed by a body corporate after the commencement of Part 2, Division 35 of that Act (the **commencement**) only if:
 - (a) all the conduct constituting the relevant offence occurred after the commencement; and
 - (b) all the conduct of the executive officer constituting the offence against the new section occurred after the commencement.
- (2) Section 13, as in force before the commencement:
 - (a) continues to apply in relation to offences committed by a body corporate before the commencement; and
 - (b) applies in relation to relevant offences committed by a body corporate after the commencement to which, as a result of subsection (1), the new section does not apply.

Division 2 Transitional matters for Justice Legislation Amendment (Vulnerable Witnesses) Act 2016

15 Definitions

In this Division:

amending Act means the *Justice Legislation Amendment (Vulnerable Witnesses) Act 2016*.

commencement means the commencement of Part 4 of the amending Act.

16 Proceedings already started

- (1) If a proceeding in relation to a prosecution of a sexual offence started before the commencement, the amending Act applies only to the part of the proceeding that takes place after the commencement.
- (2) However, subsection (1) does not apply in relation to an examination of witnesses or a trial started in the proceeding before the commencement if:
 - (a) the examination or trial continues after the commencement; or
 - (b) the proceeding was adjourned before the commencement during the examination or trial and continues after the commencement.
- (3) The provisions of this Act, as in force immediately before the commencement, continue to apply to an examination of witnesses or a trial mentioned in subsection (2) as if the amending Act had not commenced.

17 Application of sections 11, 11A and 11B before and after commencement

- (1) Sections 11, 11A and 11B, as inserted by the amending Act, apply only in relation to offences committed after the commencement.
- (2) Section 11, as in force before the commencement, continues to apply in relation to offences committed before the commencement.
- (3) For this section, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.

18 Application of section 13 before and after commencement

- (1) Section 13, as inserted by the amending Act, (the ***new section***) applies in relation to a relevant offence committed by a body corporate after the commencement only if:
 - (a) all the conduct constituting the relevant offence occurred after the commencement; and
 - (b) all the conduct of the executive officer constituting the offence against the new section occurred after the commencement.
- (2) Section 13, as in force before the commencement:
 - (a) continues to apply in relation to offences committed by a body corporate before the commencement; and
 - (b) applies in relation to relevant offences committed by a body corporate after the commencement to which, as a result of subsection (1), the new section does not apply.

Division 3 Evidence and Other Legislation Amendment Act 2020

19 Proceeding already commenced

- (1) If a proceeding commenced before the commencement, this Act as amended by the amending Act applies to that part of the proceeding that takes place on or after the commencement.
- (2) However, subsection (1) does not apply in relation to a trial or hearing, including a preliminary examination under Part V of the *Local Court (Criminal Procedure) Act 1928*, in the proceeding that commenced before the commencement and:
 - (a) continued on or after the commencement; or
 - (b) was adjourned until the commencement or after the commencement.
- (3) The provisions of this Act, as in force immediately before the commencement, apply to a trial or hearing mentioned in subsection (2).
- (4) In this section:

amending Act means the *Evidence and Other Legislation Amendment Act 2020*.

commencement means the commencement of Part 7 of the amending Act.

Division 4 Transitional matters for Sexual Offences (Evidence and Procedure) Amendment Act 2020

20 Definitions

In this Division:

amending Act means the *Sexual Offences (Evidence and Procedure) Amendment Act 2020*.

commencement means the commencement of section 4 of the amending Act.

21 Offence provisions – before and after commencement

- (1) The offence provisions, as amended by the amending Act, apply only in relation to offences committed after the commencement.
- (2) The offence provisions, as in force before the commencement, continue to apply in relation to offences committed before the commencement.
- (3) For this section, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.
- (4) For section 6(2), consent must be given after the commencement.
- (5) In this section:

offence provisions means the provisions of this Act that create or relate to offences (including in relation to criminal responsibility, defences and penalties).

22 Court orders and directions

- (1) The following orders and directions continue in force after the commencement as if they had been made in accordance with section 9 of this Act:
 - (a) an order made under section 6 or 7 of the former Act;
 - (b) a direction made under section 12(2) or (3) of the former Act.

(2) If an application for an order or direction was made under the former Act but was not determined before the commencement, the court may determine the application under this Act as amended by the amending Act.

(3) In this section:

former Act means this Act as in force immediately before the commencement.

ENDNOTES
1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION***Sexual Offences (Evidence and Procedure) Act 1983 (Act No. 69, 1983)***

Assent date	28 November 1983
Commenced	1 January 1984 (s 2, s 2 <i>Criminal Code Act 1983</i> (Act No. 47, 1983) <i>Gaz</i> G46, 18 November 1983, p 11 and <i>Gaz</i> G8, 26 February 1986, p 5)

Sexual Offences (Evidence and Procedure) Amendment Act 1984 (Act No. 11, 1984)

Assent date	29 June 1984
Commenced	29 June 1984

Law Officers Amendment Act (No. 2) 1986 (Act No. 48, 1986)

Assent date	10 December 1986
Commenced	19 December 1986 (<i>Gaz</i> S87, 17 December 1986)

Statute Law Revision Act 1987 (Act No. 9, 1987)

Assent date	27 May 1987
Commenced	27 May 1987

Sexual Offences (Evidence and Procedure) Amendment Act 1989 (Act No. 69, 1989)

Assent date	12 December 1989
Commenced	12 December 1989

Director of Public Prosecutions (Consequential Amendments) Act 1990 (Act No. 29, 1990)

Assent date	11 June 1990
Commenced	21 January 1991 (s 2, s 2 <i>Director of Public Prosecutions Act 1990</i> (Act No. 35, 1990) and <i>Gaz</i> G2, 16 January 1991, p 9)

Sexual Offences (Evidence and Procedures) Amendment Act 1994 (Act No. 23, 1994)

Assent date 18 April 1994
Commenced 1 August 1994 (s 2)

Amending Legislation

Statute Law Revision Act 1994 (Act No. 50, 1994)

Assent date 20 September 1994
Commenced 20 September 1994 (s 14(2))

Statute Law Revision Act 1995 (Act No. 14, 1995)

Assent date 23 June 1995
Commenced 23 June 1995

Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)

Assent date 19 April 1996
Commenced s 7: 19 April 1996; rem: 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and Gaz S15, 13 June 1996)

Statute Law Revision Act 1996 (Act No. 42, 1996)

Assent date 17 September 1996
Commenced 17 September 1996

Sexual Offences (Evidence and Procedure) Amendment Act 2001 (Act No. 36, 2001)

Assent date 19 July 2001
Commenced 26 September 2001 (s 2)

Statute Law Revision Act (No. 2) 2002 (Act No. 59, 2002)

Assent date 7 November 2002
Commenced 7 November 2002

Evidence Reform (Children and Sexual Offences) Act 2004 (Act No. 56, 2004)

Assent date 4 November 2004
Commenced 8 December 2004 (Gaz G49, 8 December 2004, p 3)

Evidence of Children Amendment Act 2007 (Act No. 16, 2007)

Assent date 18 September 2007
Commenced 10 October 2007 (Gaz G41, 10 October 2007, p 4)

Oaths, Affidavits and Declarations (Consequential Amendments) Act 2010 (Act No. 40, 2010)

Assent date 18 November 2010
Commenced 1 March 2011 (s 2, s 2 *Oaths, Affidavits and Declarations Act 2010* (Act No. 39, 2010) and Gaz G7, 16 February 2011, p 4)

Penalties Amendment (Miscellaneous) Act 2013 (Act No. 23, 2013)

Assent date 12 July 2013
Commenced 28 August 2013 (Gaz G35, 28 August 2013, p 2)

Statute Law Amendment (Directors' Liability) Act 2015 (Act No. 26, 2015)

Assent date 18 September 2015
Commenced 14 October 2015 (Gaz G41, 14 October 2015, p 3)

Justice Legislation Amendment (Vulnerable Witnesses) Act 2016 (Act No. 2, 2016)

Assent date 2 March 2016
Commenced 23 March 2016 (Gaz G12, 23 March 2016, p 6)

Local Court (Related Amendments) Act 2016 (Act No. 8, 2016)

Assent date	6 April 2016
Commenced	1 May 2016 (s 2, s 2 <i>Local Court (Repeals and Related Amendments) Act 2016</i> (Act No. 9, 2016) and Gaz S34, 29 April 2016)

Statute Law Revision Act 2018 (Act No. 10, 2018)

Assent date	23 May 2018
Commenced	20 June 2018 (Gaz S41, 20 June 2018)

Evidence and Other Legislation Amendment Act 2020 (Act No. 3, 2020)

Assent date	9 March 2020
Commenced	29 July 2020 (Gaz G28, 15 July 2020, p 1)

Sexual Offences (Evidence and Procedure) Amendment Act 2020 (Act No. 22, 2020)

Assent date	1 July 2020
Commenced	29 July 2020 (Gaz G28, 15 July 2020, p 2)

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: ss 1, 3, 3AB, 3A and 5.

4 LIST OF AMENDMENTS

pt 1 hdg	ins No. 2, 2016, s 20
s 3	amd No. 11, 1984, s 3; No. 23, 1994, s 4; No. 17, 1996, s 6; No. 36, 2001, s 3; No. 56, 2004, s 16; No. 16, 2007, s 15; No. 8, 2016, s 45; No. 10, 2018, s 6
ss 3AB – 3AC	ins No. 2, 2016, s 21
pt 2 hdg	ins No. 2, 2016, s 21
s 3A	ins No. 56, 2004, s 17 amd No. 8, 2016, s 45
s 4	amd No. 23, 1994, s 5; No. 14, 1995, s 12; No. 40, 2010, s 118; No. 8, 2016, s 45
s 5	amd No. 48, 1986, s 9; No. 29, 1990, s 7 sub No. 23, 1994, s 6 amd No. 2, 2016, s 22; No. 8, 2016, s 45; No. 10, 2018, s 6 sub No. 3, 2020, s 28
s 5A	sub No. 3, 2020, s 28
ss 6 – 7	amd No. 8, 2016, s 45 sub No. 22, 2020, s 4
s 8	sub No. 22, 2020, s 4
s 9	amd No. 9, 1987, s 2; No. 29, 1990, s 7; No. 42, 1996, s 6; No. 59, 2002, s 5 sub No. 22, 2020, s 4
s 10	sub No. 22, 2020, s 4
s 11	amd No. 69, 1989, s 2; No. 23, 1994, s 7; No. 23, 2013, s 8 sub No. 2, 2016, s 23 sub No. 22, 2020, s 4
ss 11A – 11C	ins No. 2, 2016, s 23 rep No. 22, 2020, s 4
s 12	amd No. 17, 1996, s 6; No. 2, 2016, s 24 sub No. 22, 2020, s 4

ENDNOTES

s 13	amd No. 23, 1994, s 8 sub No. 26, 2015, s 108; No. 2, 2016, s 25 amd No. 22, 2020, s 5
pt 3 hdg	ins No. 2, 2016, s 26
pt 3	
div 1 hdg	ins No. 2, 2016, s 26
s 14	ins No. 26, 2015, s 108 amd No. 2, 2016, s 27
pt 3	
div 2 hdg	ins No. 2, 2016, s 28
ss 15 – 18	amd No. 2, 2016, s 28
pt 3	
div 3 hdg	ins No. 3, 2020, s 29
s 19	ins No. 3, 2020, s 29
pt 3	
div 4 hdg	ins No. 22, 2020, s 26
ss 20 – 22	ins No. 22, 2020, s 26