

NORTHERN TERRITORY OF AUSTRALIA

EVIDENCE (NATIONAL UNIFORM LEGISLATION) (CONSEQUENTIAL AMENDMENTS) ACT 2012

Act No. 23 of 2012

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 23 of 2012

An Act to make consequential and other amendments relating to the *Evidence (National Uniform Legislation) Act*

[Assented to 21 November 2012]
[Second reading 24 October 2012]

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Evidence (National Uniform Legislation) (Consequential Amendments) Act 2012*.

2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

Part 2 Amendment of Evidence (National Uniform Legislation) Act

3 Act amended

This Part amends the *Evidence (National Uniform Legislation) Act*.

4 Chapter 6 inserted

After section 197

insert

Chapter 6 Transitional matters for Evidence (National Uniform Legislation) Act 2011**198 Definitions**

In this Chapter:

commencement day means the day on which section 4 commences.

199 Application of this Act on commencement day

- (1) Except as otherwise provided by this Chapter, this Act applies to a proceeding commenced on or after the commencement day.
- (2) Except as otherwise provided by this Chapter, if a proceeding commenced before the commencement day, this Act applies to that part of the proceeding that takes place on or after the commencement day, other than any hearing in the proceeding that commenced before the commencement day and:
 - (a) continued on or after the commencement day; or
 - (b) was adjourned until the commencement day or a day after the commencement day.

200 Application of section 128A

Section 128A does not apply in relation to an order made before the commencement day that would, if it were made after the commencement day, be a disclosure order as defined in that section.

201 Application of Part 3.10 to disclosure requirements

- (1) Part 3.10 does not apply in relation to:
 - (a) a process or order of a court that requires the disclosure of information or a document issued or ordered before the commencement day that would, if it were issued or ordered after the commencement day, be a disclosure requirement as defined in section 131A; or

(b) a summons or subpoena issued on or after the commencement day to give evidence or produce documents at a hearing to which section 199(2)(a) or (b) applies.

(2) Despite subsection (1)(a), Part 3.10 applies to a summons or subpoena to give evidence issued before the commencement day if the evidence is to be given at a hearing to which this Act applies.

202 Identifications already carried out

(1) Section 114 does not apply in relation to an identification made before the commencement day.

(2) Section 115 does not apply in relation to an identification made before the commencement day.

203 Documents and evidence produced before commencement day by processes, machines and other devices

(1) Section 146 has effect on and after the commencement day in relation to the production of a document or thing that occurred before the commencement day.

(2) Section 147 has effect on and after the commencement day in relation to the production of a document that occurred before the commencement day.

204 Documents attested and verified before commencement day

(1) Section 148 has effect on and after the commencement day in relation to the attestation, verification, signing or acknowledgement of a document that occurred before the commencement day.

(2) Section 149 has effect on and after the commencement day in relation to the signing or attestation of a document that occurred before the commencement day.

205 Matters of official record published before commencement day

(1) Section 153 has effect on and after the commencement day in relation to the publication of a document referred to in that section that occurred before the commencement day.

(2) Section 154 has effect on and after the commencement day in relation to the publication of a document referred to in that section that occurred before the commencement day.

- (3) Section 155 has effect on and after the commencement day in relation to the signing or sealing or certification of a document referred to in that section that occurred before the commencement day.
- (4) Section 156 has effect on and after the commencement day in relation to the sealing or certification of a document referred to in that section that occurred before the commencement day.
- (5) Section 157 has effect on and after the commencement day in relation to the sealing or signing of a document referred to in that section that occurred before the commencement day.
- (6) Section 158 has effect on and after the commencement day in relation to the sealing or signing and sealing of a public document referred to in that section that occurred before the commencement day.
- (7) Section 159 has effect on and after the commencement day in relation to the publication of a document referred to in that section that occurred before the commencement day.

206 Agreed facts

The reference in section 191(3)(a) to an agreement is taken on and after the commencement day to include a reference to an agreement entered into before the commencement day.

207 Application of Act to improperly or illegally obtained evidence

Section 139 does not apply in relation to a statement made or an act done before the commencement day.

208 Notification provisions

- (1) If, before the commencement day, a document of a kind referred to in a notification provision is given or served:
 - (a) in the circumstances provided for in that provision; and
 - (b) in accordance with such requirements (if any) as would apply to the giving or serving of the document under that provision on and after its commencement;

on and after the commencement day the document is taken to have been given or served in accordance with that provision.

- (2) The following sections are *notification provisions* for the purposes of subsection (1):
- (a) section 33(2)(c);
 - (b) section 49(a);
 - (c) section 50(2)(a);
 - (d) section 67(1);
 - (e) section 68(2);
 - (f) section 73(2)(b);
 - (g) section 97(1)(a);
 - (h) section 98(1)(b);
 - (i) section 168(1), (3), (5) and (6);
 - (j) section 173(1);
 - (k) section 177(2) and (5).

209 Notice of intention to adduce hearsay evidence

If a notice given before the commencement day is taken, by the operation of section 208, to have been given under section 67(1), the period for an objection to be made under section 68 to the tender of evidence to which the notice relates is the later of the period ending:

- (a) 7 days after the commencement day; or
- (b) 21 days after the notice was given to the party concerned.

210 Notice of intention to adduce evidence as to tendency or coincidence

- (1) References in sections 97(1)(a) and 98(1)(a) to giving notice are taken to include references to giving notice of the kind referred to in those sections before the commencement day.
- (2) Despite section 208(1)(b), a notice of a kind referred to in section 97 or 98 given before the commencement day is taken to have been given in accordance with any regulations or rules made for the purposes for section 99.

211 Time limits for making requests

- (1) A request made before the commencement day that would, if it were made after the commencement day, be a request under section 167 is taken to be such a request.
- (2) If a notice given before the commencement day is taken, by the operation of section 208, to have been given under section 168(1) or (3), the period for a request to be made under section 168(1) or (3) is the later of the period ending:
 - (a) 7 days after the commencement day; or
 - (b) 21 days after the notice was given to the party concerned.
- (3) If a copy of a document served before the commencement day is taken, by the operation of section 208, to have been served under section 168(5) or (6), the period for a request to be made under section 168(5) or (6) is the later of the period ending:
 - (a) 7 days after the commencement day; or
 - (b) 21 days after the document was served on the party concerned.
- (4) If a request made under section 168 was received before the commencement day, in determining what is a reasonable time after receiving a request for the purposes of section 169(2), the court may take into account time passed before the commencement day.

212 Requests under section 173

A request made before the commencement day that would, if it were made after the commencement day, be a request under section 173(2) is taken to be such a request.

213 Transitional regulations

- (1) A regulation may provide for a matter of a transitional nature:
 - (a) because of the enactment of this Act or the *Evidence (National Uniform Legislation) (Consequential Amendments) Act 2012*, or
 - (b) to otherwise allow or facilitate the transition:
 - (i) from the *Evidence Act* as in force immediately before the commencement day;

- (ii) to this Act and the *Evidence Act* as amended by the *Evidence (National Uniform Legislation) (Consequential Amendments) Act 2012*.
- (2) The regulation may have retrospective operation to a day not earlier than the commencement day.
- (3) However, to the extent to which the regulation has retrospective operation, it does not operate to the disadvantage of a person (other than the Territory or a Territory authority) by:
- (a) decreasing the person's rights; or
- (b) imposing liabilities on the person.
- (4) The regulation must declare it is made under this section.
- (5) This section, and each regulation made under it, expires 1 year after the commencement day.

Part 3 Amendment of Evidence Act

5 Act amended

This Part amends the *Evidence Act*.

6 Long title amended

Long title

omit

relating to Evidence

insert

**to make provision for evidentiary matters in addition to the
*Evidence (National Uniform Legislation) Act***

7 Part I heading replaced

Part I, heading

omit, insert

Part 1 Preliminary matters

8 Section 2 repealed

Section 2

repeal

9 Section 4 amended

(1) Section 4

omit

, unless the contrary intention appears

(2) Section 4, definitions *ADI's book*, *Court*, *document*, *evidentiary material*, *evidentiary summons*, *examined copy* and *examined extract*, *Judge*, *legal proceeding* or *proceeding* and *person acting judicially*

omit

(3) Section 4

insert (in alphabetical order)

audio link, for Part 5, see section 49.

audiovisual link, for Part 5, see section 49.

audiovisual record, for Part 3, see section 21A(1).

authorised person, for Part 3, see section 21A(1).

child, for Part 3, see section 21A(1).

committal proceedings, for Part 7, see section 56.

communication link, for Part 5, see section 49.

confidential communication, for Part 7, see section 56.

counsellor, for Part 7, see section 56.

court, see Part 1 of the Dictionary at the end of the Evidence (NUL) Act.

document, see Part 1 of the Dictionary at the end of the Evidence (NUL) Act.

Evidence (NUL) Act means the *Evidence (National Uniform Legislation) Act*.

examination, for Part 3, see section 21A(1).

harm, for Part 7, see section 56.

interstate entity, for Part 5, see section 49.

interstate proceeding, for Part 5, see section 49.

judge, see Part 1 of the Dictionary at the end of the Evidence (NUL) Act.

participating State, for Part 5, see section 49.

party to a confidential communication, for Part 7, see section 56.

proceeding means a civil proceeding or a criminal proceeding, each as defined in Part 1 of the Dictionary at the end of the Evidence (NUL) Act.

recorded statement, for Part 3, see section 21A(1).

serious violence offence, for Part 3, see section 21A(1).

Territory entity, for Part 5, see section 49.

Territory proceeding, for Part 5, see section 49.

victim, for Part 7, see section 56.

visual link, for Part 5, see section 49.

vulnerable witness, for Part 3, see section 21A(1).

10 Section 5, Part II heading and sections 6 to 10 replaced

Section 5, Part II, heading and sections 6 to 10

repeal, insert

5 Application of Act

- (1) This Act applies to all proceedings to which the Evidence (NUL) Act applies.
- (2) Part 5 also applies to Territory proceedings and interstate proceedings (as defined in section 49).

6 Relationship with Evidence (NUL) Act

This Act applies in addition to, and does not affect the operation of, the Evidence (NUL) Act.

Part 2 Privilege**11 Section 12 amended**

(1) Section 12, heading

omit, insert

12 Medical privilege

(2) Section 12(1)

omit

(3) Section 12(2), after "his" (*all references*)

insert

or her

(4) Section 12(2), after "him" (*all references*)

insert

or her

(5) Section 12(3), after "himself"

insert

or herself

12 Sections 13 to 21 repealed

Sections 13 to 21

repeal

13 Part IIA heading replaced

Part IIA, heading

omit, insert

Part 3 Vulnerable witnesses

14 Part III heading replaced

Part III, heading

omit, insert

Part 4 Miscellaneous rules of evidence**15 Sections 22 and 23, 25 to 26D and 26F to 26L repealed**

Sections 22 and 23, 25 to 26D and 26F to 26L

repeal

16 Parts IV, IVA and V repealed

Parts IV, IVA and V

repeal

17 Part VA heading replaced

Part VA, heading

omit, insert

Part 5 Communication links**18 Section 49 amended**

(1) Section 49

omit

, unless the contrary intention appears

(2) Section 49, definitions *recognised court*, *State*, *Territory court* and *tribunal*

omit

(3) Section 49

insert (in alphabetical order)

interstate entity means:

(a) a court of a participating State; or

(b) a person or body authorised by or under a law of a participating State to take evidence on oath or affirmation;

that is authorised by the provisions of an Act of that State in terms substantially corresponding to Divisions 3 and 4 to direct that evidence be taken or submissions be made by audio link or audiovisual link from the Territory.

interstate proceeding means a proceeding in or before an interstate entity.

Territory entity means any of the following:

- (a) a court;
- (b) a coroner;
- (c) a person or body authorised by or under a law of the Territory to take evidence on oath;
- (d) in this Division and Division 2 – a person acting judicially, including the holder of a statutory office or a public sector employee with authority to examine evidence.

Territory proceeding means a proceeding in or before a Territory entity.

- (4) Section 49, definition ***audio visual link***

omit

audio visual

insert

audiovisual

- (5) Section 49, definition ***communication link***

omit

audio visual

insert

audiovisual

- (6) Section 49, definition ***participating State***, after "a State"

insert

or Territory

19 Section 49A repealed

Section 49A

repeal

20 Part VI heading replaced

Part VI, heading

omit, insert

Part 6 Evidence on commission

21 Part VIA heading replaced

Part VIA, heading

omit, insert

Part 7 Confidential information

22 Part VII heading replaced

Part VII, heading

omit, insert

Part 8 Publication of evidence

23 Part VIII heading replaced

Part VIII, heading

omit, insert

Part 9 Other matters

24 Sections 63 and 64 repealed

Sections 63 and 64

repeal

25 Part IX heading replaced

Part IX, heading

omit, insert

Part 10 Transitional provisions**Division 1 Transitional matters for Evidence Legislation (Authorised Persons) Amendment Act 2009****26 Part 10, Division 2 inserted**

After section 66

insert

Division 2 Transitional matters for Evidence (National Uniform Legislation) (Consequential Amendments) Act 2012**67 Definitions**

In this Division:

commencement day means the day on which section 4 of the Evidence (NUL) Act commences.

Consequential Act means the *Evidence (National Uniform Legislation) (Consequential Amendments) Act 2012*.

proceeding includes part of a proceeding or something relating to a proceeding.

68 Application of this Act linked to application of Evidence (NUL) Act

- (1) If the Evidence (NUL) Act applies in relation to a proceeding, this Act, as amended by the Consequential Act, applies in relation to the proceeding.
- (2) If the Evidence (NUL) Act does not apply in relation to a proceeding, this Act as in force immediately before the commencement day applies in relation to the proceeding as if the Consequential Act had not commenced.
- (3) If subsection (2) applies in relation to a proceeding, any law amended or repealed by Part 4 or 5 of the Consequential Act that is relevant to the proceeding continues to apply in relation to the proceeding as it was in force immediately before the

commencement day as if the Consequential Act had not commenced.

Note for section 68

Chapter 6, and in particular section 199, of the Evidence (NUL) Act sets out the proceedings in relation to which the Evidence (NUL) Act does and does not apply.

69 Transitional regulations

- (1) A regulation may provide for a matter of a transitional nature:
 - (a) because of the enactment of the Evidence (NUL) Act or the Consequential Act; or
 - (b) to otherwise allow or facilitate the transition:
 - (i) from the operation of this Act as in force immediately before the commencement day;
 - (ii) to the operation of the Evidence (NUL) Act and this Act as amended by the Consequential Act.
- (2) The regulation may have retrospective operation to a day not earlier than the commencement day.
- (3) However, to the extent to which the regulation has retrospective operation, it does not operate to the disadvantage of a person (other than the Territory or a Territory authority) by:
 - (a) decreasing the person's rights; or
 - (b) imposing liabilities on the person.
- (4) The regulation must declare it is made under this section.
- (5) This section, and each regulation made under it, expires 1 year after the commencement day.

27 The First and The Fourth Schedules repealed

The First Schedule and The Fourth Schedule

repeal

28 Act further amended

Schedule 1 has effect.

Part 4 Amendment of Administration and Probate Act

29 Act amended

This Part amends the *Administration and Probate Act*.

30 Section 60A inserted

After section 60, in Part III, Division 3

insert

60A Evidentiary effect of probate and letters of administration

- (1) The probate of any will or letters of administration with the will annexed is evidence of the due execution of the will for all questions concerning either real or personal estate.
- (2) The copy attached or annexed to the probate or letters of administration, purporting to be a copy of the will, is evidence of the contents of the will.
- (3) The probate of any will or letters of administration is evidence of the death and the date of the death of the testator or intestate.

Part 5 Repeals and other amendments

31 Act repealed

The *Evidence (Business Records) Interim Arrangements Act 1984* (Act No. 44 of 1984) is repealed.

32 Other Acts amended

Schedule 2 amends the Acts mentioned in it.

Part 6 Expiry of Act

33 Expiry of Act

This Act expires on the day after it commences.

Schedule 1 Evidence Act further amended

section 28

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 21A(1), definition <i>authorised person</i> , paragraph (d)	whole paragraph	
section 21A(1), definition <i>recorded statement</i>	legal proceedings	a proceeding
sections 21A(1), definition <i>vulnerable witness</i> , paragraphs (a) and (b), 49C(a), 49X(a), 50(2)(a), 56, definitions <i>confidential communication</i> , paragraphs (a)(ii), (b) and (c) and <i>party to a confidential communication</i> , paragraph (a), 56D(4)(a), 56F(1)(a) and 57(1)(i), at the end		or
sections 21A(1), definition <i>vulnerable witness</i> , paragraph (d), (2)(d), (2A) to (2C), (5) and (6), 21B(2) to (4), 21C(1) to (3), 21D(2) and (3), 21E(1) and (3) to (6), 21F(1) and (2), 24(6), (7) and (10), 26E(1), 56B(2)(c), 56D(2)(c), (3) and (4), 56E(1) to (4), 56F(1)(a), 56G(1) and (2), 57(1) to (3), 58 and 62(2)	Court (<i>all references</i>)	court

section 21A(2)(b), (3) and (4)	Judge	judge
section 21A(2)(c)(iii)	who the Court witness,	whom the court witness;
section 21A(3)(a)	Court;	court; and
section 21C(1)(c)(iii)	Judge	judge
section 21C(2)(c)(i)	audio visual	audiovisual
section 21F, heading	Court	court
section 21F(3)	Court Court's	court court's
section 24(11), definition <i>criminal proceeding</i>	whole definition	<i>criminal proceeding</i> , see Part 1 of the Dictionary at the end of the Evidence (NUL) Act.
Part 5, Division 1, heading, at the end		matters
section 49B	court	entity
section 49C, heading	Rules of court	Procedural rules
section 49C	court may make rules of court	entity may make rules
section 49C(c)	proceeding,	proceeding;
section 49D(1)	all words from "any proceeding" to "court"	any Territory proceeding
section 49E, heading	whole heading	49E Territory entity may take evidence from another place
section 49E(1)	Territory court before the court court (<i>all other references</i>) courtroom or other	Territory entity entity

section 49E(2)	The court	The entity
section 49E(2)(b)	all words from "place that" to "sitting"	other place
section 49E(3) and (5)	court <i>(all references)</i>	entity
section 49E(4)	court proceedings	entity proceeding
section 49F, heading	audio visual	audiovisual
section 49F	audio visual <i>(all references)</i>	audiovisual
section 49F(a)	whole paragraph	(a) the place where a Territory entity is sitting (place A); and
section 49F(b)	made,	made (place B);
section 49F(c)	all words from "the courtroom" to "submission"	place A to see and hear all appropriate persons at place B
section 49F(d)	all words from "the place" to "place."	place B to see and hear all appropriate persons at place A.
section 49G(a)	whole paragraph	(a) the place where a Territory entity is sitting (place A); and
section 49G(b)	made,	made (place B);
section 49G(c)	all words from "the courtroom" to "submission"	place A to hear all appropriate persons at place B
section 49G(d)	all words from "the place" to "place."	place B to hear all appropriate persons at place A.
section 49H(a)	whole paragraph	(a) the place where a Territory entity is sitting (place A); and
section 49H(b)	made,	made (place B);

section 49H(c)	all words from "the courtroom" to "submission"	place A to see all appropriate persons at place B
section 49H(d)	all words from "the place" to "place."	place B to see all appropriate persons at place A.
section 49I, heading	court	place where entity is sitting
section 49I(1)	all words from "Territory court" to "proceedings"	Territory entity is taken to be part of the place where the entity is sitting for the purpose of conducting the proceeding
section 49I(3)	court <i>(all references)</i> courtroom or other	entity
section 49I(4)	proceedings, the court	a proceeding, the entity
section 49I(4)(a)	proceedings	proceeding
section 49I(4)(b)	court	entity
section 49J	court <i>(all references)</i>	entity
section 49K(a)	courtroom or other court	entity
section 49K(b)	court <i>(all references)</i>	entity
section 49L(1)	Territory court	Territory entity
section 49L(1)(a)	courtroom or other court	entity
section 49L(1)(b)(ii)	courtroom or other place	place where the entity is sitting
section 49M(1)	Territory court	Territory entity

section 49M(1)(a)	courtroom or other place where the court	place where the entity
section 49M(1)(b)(ii)	courtroom or other place	place where the entity is sitting
section 49M(2)	court <i>(all references)</i> courtroom or other	entity
Part 5, Division 3, heading	all words from " audio visual " to " courts "	audiovisual links or audio links in Territory proceedings
section 49N	all words from "any proceeding" to "court"	any Territory proceeding
section 49P, heading	courts	entity
section 49P(1)	Territory court before the court audio visual	Territory entity audiovisual
section 49P(2) to (4)	court <i>(all references)</i>	entity
section 49P(4)	audio visual	audiovisual
section 49Q, heading	audio visual	audiovisual
section 49Q	audio visual <i>(all references)</i>	audiovisual
section 49Q(a)	whole paragraph	(a) the place where a Territory entity is sitting (<i>place A</i>) ; and
section 49Q(b)	made,	made (<i>place B</i>) ;
section 49Q(c)	all words from "the courtroom" to "submission"	place A to see and hear all appropriate persons at place B
section 49Q(d)	all words from "the place" to "place."	place B to see and hear all appropriate persons at place A.

section 49R(a)	whole paragraph	(a) the place where a Territory entity is sitting (<i>place A</i>); and
section 49R(b)	made,	made (<i>place B</i>);
section 49R(c)	all words from "the courtroom" to "submission"	place A to hear all appropriate persons at place B
section 49R(d)	all words from "the place" to "place."	place B to hear all appropriate persons at place A.
section 49S	court (<i>all references</i>)	entity
	audio visual	audiovisual
section 49T(a) and (b)	audio visual	audiovisual
	proceeding before a Territory court	Territory proceeding
Part 5, Division 4, heading	Whole heading	Division 4 Use of interstate audiovisual links or audio links in interstate proceedings
section 49U	all words from "any proceeding" to "court"	any interstate proceeding
section 49V, heading	Recognised courts	Interstate entity
section 49V	A recognised court	An interstate entity
	a proceeding before it	an interstate proceeding
	audio visual	audiovisual
section 49W, heading	recognised courts	interstate entity
section 49W(1) and (2)	recognised court	interstate entity
	audio visual	audiovisual
section 49W(3)	recognised court	interstate entity
	the court	the place where the entity is sitting

section 49X, heading	recognised court	interstate entity
section 49X	recognised court	interstate entity
section 49Y(1)	a recognised court	an interstate entity
section 49Y(3)(b)	accordingly,	accordingly;
section 49Z, heading	proceedings in courts of participating States	interstate proceedings
section 49Z(1)	the proceeding of a recognised court	an interstate proceeding
	audio visual	audiovisual
section 49Z(2)	the proceeding of a recognised court	an interstate proceeding
	audio visual	audiovisual
	before	in
section 49Z(3)	a proceeding of a recognised court by audio visual	an interstate proceeding by audiovisual
section 49ZA, heading	Recognised court	Interstate entity
section 49ZA(1)	A recognised court	An officer of an interstate entity
	audio visual	audiovisual
	the recognised court	the interstate entity
section 49ZB, heading	recognised court	interstate entity
section 49ZB	court may, at the request of a recognised court	entity may, at the request of an interstate entity
section 49ZB(b)	recognised court	interstate entity
section 49ZB(c)	the recognised court	an officer of the interstate entity

sections 49ZB(a), 50(4)(a) and (6)(a), 53(3)(a) to (c), 56A(3)(a), 56B(2)(a), 56D(2)(a) and 56E(1)(a), at the end		and
section 49ZC, heading	recognised courts	interstate entity
section 49ZC	all words from "audio visual" to "court:"	audiovisual link or audio link, in an interstate proceeding:
section 49ZC(a)(ii)	that court	the interstate entity
section 49ZC(c)	court	interstate entity
section 50(3)	(2)(c), <i>appropriate</i>	(2)(c): <i>appropriate</i>
section 50(6)(a), after "his"		or her
section 51(5)	section, <i>examination</i>	section: <i>examination</i>
section 52(1)(b)	contemplated,	contemplated;
section 53(1)	the Court	the Supreme Court
section 53(6)(a) and (b), after "his"		or her
section 53(7)(a)	whole paragraph	(a) section 194 of the <i>Evidence (NUL) Act</i> applies as if the order were a summons to attend; and
sections 54(1) and (3) and 55(a), after "he"		or she
section 55(b)	true,	true;
section 56A(2)(c)	offence,	offence;
section 56C(a)	Court;	court; and
section 57(1)(b)	such proceeding,	the proceeding;

section 58, heading	Court	court
section 62A, heading	, &c.	etc.
section 62A(2)	section, <i>place</i>	section: <i>place</i>

Schedule 2 Other Acts amended

section 32

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Australian Crime Commission (Northern Territory) Act</i>		
section 23(10)	legal professional	client legal
<i>Business Tenancies (Fair Dealings) Act</i>		
section 108(2)(c)	section 4 of the <i>Evidence Act</i>	Part 1 of the Dictionary at the end of the <i>Evidence (National Uniform Legislation) Act</i>
<i>Child Protection (Offender Reporting and Registration) Act</i>		
section 87(3)	legal professional	client legal
<i>Criminal Property Forfeiture Act</i>		
section 165, heading	Legal professional	Client legal
section 165	the common law rules (including the exceptions) relating to legal professional privilege apply	client legal privilege applies
<i>Criminal Records (Spent Convictions) Act</i>		
section 4(3)(a)	whole paragraph	(a) the <i>Evidence (National Uniform Legislation) Act</i> , or
<i>Financial Transaction Reports Act</i>		
section 10, heading	legal professional	client legal
section 10	legal professional	client legal
<i>Information Act</i>		
section 49(d)	legal professional	client legal

Legal Profession Act

section 565(1)	legal professional	client legal
section 703, heading	Professional	Client legal
section 703(2)	legal professional	client legal

Personal Injuries (Civil Claims) Act

section 15(2)	the common law rule known as legal professional	client legal
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Petroleum (Submerged Lands) Act

Schedule 4, clauses 35(1), 39(4) and 42(4)	legal professional	client legal
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Public Interest Disclosure Act

sections 37(1)(c) and 38(1)(b)	legal professional	client legal
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Rail Safety Act

section 132(6)	legal professional	client legal
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Residential Tenancies Act

section 142(2)(c)	within the meaning of the <i>Evidence Act</i>	as defined in Part 1 of the Dictionary at the end of the <i>Evidence (National Uniform Legislation) Act</i>
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Swimming Pool Safety Act

section 43(5)(c)	within the meaning of the <i>Evidence Act</i>	as defined in Part 1 of the Dictionary at the end of the <i>Evidence (National Uniform Legislation) Act</i>
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Terrorism (Emergency Powers) Act

section 21ZT, heading	legal professional	client legal
section 21ZT	legal professional	client legal

The Commercial Bank of Australia Limited (Merger) Act

section 9(1) (1)
 section 9(2) and (3) whole subsection

The Commercial Banking Company of Sydney Limited (Merger) Act

section 9(1) (1)
 section 9(2) and (3) whole subsection

Waste Management and Pollution Control Act

section 72(1)(d) within the meaning of the *Evidence Act* as defined in Part 1 of the Dictionary at the end of the *Evidence (National Uniform Legislation) Act*

Workers Rehabilitation and Compensation Act

section 110B, heading **Legal professional** **Client legal**
 section 110B(2) The common law rule, known as legal professional privilege, **Client legal privilege**
