

LEGISLATIVE COUNCIL

CRIMINAL PROCEDURE LEGISLATION AMENDMENT BILL 2007

(Amendments and New Clause to be proposed in Committee by Mr RICH-PHILLIPS)

1. Clause 2, line 11, omit "21(2)" and insert "22(2)".
2. Clause 2, line 14, omit "21(1)" and insert "22(1)".
3. Clause 2, after line 15 insert—
"(3) Section 12 comes into operation on 1 July 2010."
4. Clause 2, line 16, omit "(4)" and insert "(5)".
5. Clause 2, line 19, omit "(3)" and insert "(4)".
6. Clause 17, line 10, before "Section 6AAA" insert "(1)".
7. Clause 17, line 16, omit "'."
8. Clause 17, after line 16 insert—
'(2) If on the commencement of section 12 of the **Criminal Procedure Legislation Amendment Act 2007** a plea hearing has commenced but not concluded, section 6AAA continues to apply to the sentence imposed as if section 6AAA had not been repealed.".'
9. Clause 18, line 8, before "Section 362A" insert "(1)".
10. Clause 18, line 14, omit "'."
11. Clause 18, after line 14 insert—
'(2) If on the commencement of section 12 of the **Criminal Procedure Legislation Amendment Act 2007** a plea hearing has commenced but not concluded, section 362A continues to apply to the sentence imposed as if section 362A had not been repealed.".'
12. Clause 19, after line 24 insert—
"40 If on the commencement of section 12 of the **Criminal Procedure Legislation Amendment Act 2007** a proceeding for an offence has commenced but not concluded, section 50A and any rules made relating to sentence indications continue to apply to the proceeding as if section 50A had not been repealed."
13. Clause 19, line 25, omit "40" and insert "41".
14. Clause 19, line 26, omit "14" and insert "15".

15. Clause 19, line 29, omit "14" and insert "15".
16. Clause 19, line 31, omit "41" and insert "42".
17. Clause 19, line 31, omit "15" and insert "16".
18. Clause 19, line 35, omit "15" and insert "16".
19. Clause 20, line 8, before "Section 23A" insert "(1)".
20. Clause 20, line 13, omit "'.'. "
21. Clause 20, after line 13 insert—
 - '(2) If on the commencement of section 12 of the **Criminal Procedure Legislation Amendment Act 2007** a presentment has been filed but the proceeding has not concluded, section 23A and any rules made relating to sentence indications continue to apply to the proceeding as if section 23A had not been repealed.".'. "
22. Clause 22, line 28, omit "2009" and insert "2011".

NEW CLAUSE

23. Insert the following New Clause to follow clause 11—
 - "A Repeal of provisions concerning sentence discounts and sentence indications**
 - (1) Section 6AAA of the **Sentencing Act 1991** is **repealed**.
 - (2) Section 362A of the **Children, Youth and Families Act 2005** is **repealed**.
 - (3) Sections 16(1A)(ca), 50A and 139A(4) of the **Magistrates' Court Act 1989** are **repealed**.
 - (4) Sections 23A and 32A of the **Crimes (Criminal Trials) Act 1999** are **repealed**.
 - (5) Section 25(1)(ed) of the **Supreme Court Act 1986** is **repealed**.
 - (6) Section 78(1)(hh) of the **County Court Act 1958** is **repealed**".