

## LEGISLATIVE COUNCIL

### CRIMES LEGISLATION AMENDMENT BILL 2009

(Amendments and New Clauses to be proposed in Committee by Mr MADDEN)

1. Clause 1, page 2, line 7, after "document" insert "and other matters".
2. Clause 11, line 19, omit "9" and insert "11".
3. Clause 15, line 19, omit "13" and insert "15".

#### NEW CLAUSES

4. Insert the following new clauses to follow clause 7—

##### **'AA Exclusion and publication prohibition orders**

- (1) **Insert** the following heading to section 19B of the **Evidence (Miscellaneous Provisions) Act 1958**—

**"Exclusion and publication prohibition orders".**

- (2) In section 19B(2) of the **Evidence Act (Miscellaneous Provisions) 1958**, **omit** "to which an order under subsection (1) applies".
- (3) After section 19B(2) of the **Evidence (Miscellaneous Provisions) Act 1958** **insert**—

"(2A) The commissioner must not make an order under subsection (2) unless the commissioner is satisfied that the making of the order would facilitate the conduct of the inquiry by the commission or would otherwise be in the public interest."

##### **BB New section 164 inserted**

After section 163 of the **Evidence (Miscellaneous Provisions) Act 1958** **insert**—

##### **"164 Validation of certain orders**

An order of a commissioner presiding at a hearing of a commission purported to be made under section 19B(2) and purported to be in force immediately before the commencement of this section is, on and from that commencement, taken to have the same force and effect as it would have had if it had been validly made under section 19B(2)."'.