



New South Wales

Evidence (Audio and Audio Visual Links) Amendment (Emergency Measures— COVID-19) Regulation 2020

under the

Evidence (Audio and Audio Visual Links) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Evidence (Audio and Audio Visual Links) Act 1998*.

MARK SPEAKMAN, MP
Attorney General, and Minister for the Prevention of Domestic Violence

Explanatory note

The object of this Regulation is to prescribe proceedings on indictment as proceedings to which a special provision enacted in response to the COVID-19 pandemic, that enables a court to direct that accused persons may appear in physical appearance proceedings by way of audio visual link, does not apply.

The provision was inserted into the Evidence (Audio and Audio Visual Links) Act 1998 by the *COVID-19 Legislation Amendment (Emergency Measures) Act 2020*.

This Regulation is made under the *Evidence (Audio and Audio Visual Links) Act 1998*, including sections 22 (the general regulation-making power) and 22C(3).

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Evidence (Audio and Audio Visual Links) Act 1998

1 Name of Regulation

This Regulation is the *Evidence (Audio and Audio Visual Links) Amendment (Emergency Measures—COVID-19) Regulation 2020*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Evidence (Audio and Audio Visual Links) Regulation 2015

Clause 4A

Insert after clause 4—

4A COVID-19 pandemic—provision to facilitate appearance of accused by audio visual link not to apply to proceedings on indictment

Proceedings on indictment are prescribed for the purposes of section 22C(3) of the Act.