



TASMANIAN GOVERNMENT GAZETTE

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COVID-19 Disease Emergency

TASMANIA

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020

NOTICE UNDER SECTION 20

I, ELISE ARCHER, the Attorney-General, in pursuance of section 20 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* ("the Act"), at the request of the Chief Justice of the Supreme Court of Tasmania, being of the opinion that the relevant emergency circumstances exist in relation to this notice, declare that –

- (a) despite section 12A(2) of the *Criminal Code Act 1924*, to the extent that it requires sittings of the criminal jurisdiction of the Supreme Court of Tasmania and sittings of the Court of Criminal Appeal to be held at the places at which the registries of the Court are established and at other places determined by the Chief Justice, such sittings may be held in the approved manner determined by the Chief Justice in accordance with section 20(2) of the Act; and
- (b) despite section 411(1) of the *Criminal Code*, to the extent that it entitles an appellant to be present at an appeal being heard by the Supreme Court, an appellant is entitled to be present at the appeal by being present in the approved manner determined by the Chief Justice in accordance with section 20(2) of the Act; and
- (c) despite section 90(1) of the *Sentencing Act 1997*, to the extent that it provides that a sentence may be imposed in open court, a sentence for an offence, imposed by one or more judges of the Supreme Court, may be imposed in the approved manner determined by the Chief Justice in accordance with section 20(2) of the Act; and
- (d) despite section 14 of the *Supreme Court Civil Procedure Act 1932*, to the extent that it requires a Full Court consisting of two or more judges to sit together as one court or a single judge to sit in court as a court, such sittings may be held in the approved manner determined by the Chief Justice in accordance with section 20(2) of the Act.

Dated this 16th day of April 2020.

ELISE ARCHER
Attorney-General

TASMANIA

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020

NOTICE UNDER SECTION 20

I, ELISE ARCHER, the Attorney-General, in pursuance of section 20 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* ("the Act"), at the request of the Chief Magistrate, being of the opinion that the relevant emergency circumstances exist in relation to this notice and with the approval of the emergency manager, declare in relation to proceedings conducted by the Magistrates Court that –

- (a) despite section 37(1) of the *Justices Act 1959*, to the extent that it requires that the room or place in which justices sit to hear and determine a complaint upon which a conviction or order may be made, is an open and public court, to which all persons may have access so far as it can conveniently contain them, such proceedings may be heard in the approved manner determined by the Chief Magistrate in accordance with section 20(2) of the Act; and
- (b) despite section 90(1) of the *Sentencing Act 1997*, to the extent that it provides that a sentence may be imposed in open court, a sentence for an offence, imposed by a magistrate, may be imposed in the approved manner determined by the Chief Magistrate in accordance with section 20(2) of the Act.

Dated this 17th day of April 2020.

ELISE ARCHER
Attorney-General

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