



Queensland

# Recording of Evidence Amendment Regulation (No. 1) 2007

## Subordinate Legislation 2007 No. 23

made under the

*Recording of Evidence Act 1962*

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## 1 Short title

This regulation may be cited as the *Recording of Evidence Amendment Regulation (No. 1) 2007*.

## 2 Regulation amended

This regulation amends the *Recording of Evidence Regulation 1992*.

## 3 Replacement of s 2A (Definition)

Section 2A—  
*omit, insert—*

## ‘2 Definitions

‘In this regulation—

***electronic form***, in relation to a copy of a transcription of a record under the Act, means a copy that is stored or recorded electronically.

*Examples of electronic form—*

- a file stored on a computer disc
- a file stored on a CD-ROM
- a file stored on a computer hard drive
- a file sent by email

***printed form***, in relation to a copy of a transcription of a record under the Act, means a copy that—

- (a) is handwritten or typewritten on paper; or
- (b) is produced on paper by mechanical or electronic means.’.

## 4 Amendment of s 3 (Fees)

(1) ‘The fees’—

*omit, insert—*

‘Subject to sections 3A, 3B and 3C, the fees’.

- (2) Section 3(2) to (4)—  
*omit.*

## **5 Insertion of new ss 3A–3C**

After section 3—

*insert—*

### **‘3A Free copies may be issued to particular persons**

- ‘(1) A defendant in a criminal proceeding in the Supreme Court or District Court is entitled to 1 free copy of a transcription, in printed or electronic form, of a record under the Act of the proceeding.
- ‘(2) The free copy mentioned in subsection (1) may be issued—
- (a) to the defendant or the defendant’s legal representative; and
  - (b) even if the proceeding has ended.
- ‘(3) Also, a person who may apply for a compensation order, or for a payment from the consolidated fund, under the *Criminal Offence Victims Act 1995*, part 3 or section 46(2) for an offence is entitled to 1 free copy of the sentence for the offence in printed or electronic form.
- ‘(4) The *sentence* is the part of the transcription of a record under the Act of a criminal proceeding containing the court’s order as to punishment of the offender and any reasons for the order.
- ‘(5) The free copy mentioned in subsection (3) may be issued to the person or to the person’s legal representative.

### **‘3B Records and transcripts may be issued to a judicial person**

- ‘(1) A record under the Act or a copy of a transcription of a record under the Act, in printed, electronic or other form, may be issued without charge to a judicial person.
- ‘(2) The record or copy mentioned in subsection (1) may be issued even if the proceeding has ended.

**‘3C Industrial relations transcripts**

- ‘(1) This section applies to a proceeding before—
  - (a) the Queensland Industrial Relations Commission; or
  - (b) the Industrial Court of Queensland; or
  - (c) a registrar appointed under the *Industrial Relations Act 1999*.
- ‘(2) The Industrial Registry is entitled to 1 free copy of a transcription in electronic form of a record under the Act of a proceeding to which this section applies.
- ‘(3) The copy of the transcription provided to the Industrial Registry may be issued in electronic form, without charge, to a party to the proceeding or that party’s representative.
- ‘(4) The copies of the transcriptions mentioned in subsections (2) and (3) may be issued even if the proceeding has ended.’.

**6 Replacement of sch (Fees)**

Schedule—

*omit, insert—*

**‘Schedule Fees**

section 3

\$

- 1 For issuing a copy of a transcription, in printed or electronic form, of a record under the Act of a legal proceeding before the Queensland Industrial Relations Commission—
  - (a) first copy—for each page. . . . . 3.00
  - (b) additional copy—for each page. . . . . 0.70
- 2 For issuing a copy of a transcription, in printed or electronic form, of a record under the Act of another legal proceeding—
  - (a) first copy—for each page. . . . . 5.00

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(b) additional copy—for each page . . . . .	0.70
3 For issuing a copy, if available in cassette tape form, of a record under the Act of a legal proceeding—for each tape	14.50’.

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ENDNOTES

- 1 Made by the Governor in Council on 1 March 2007.
- 2 Notified in the gazette on 2 March 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General