

Judicature (Timeliness) Legislation Amendment Bill

Government Bill

As reported from the Justice Committee

Commentary

Recommendation

The Justice Committee has examined the Judicature (Timeliness) Legislation Amendment Bill and recommends that it be passed. We recommend all amendments unanimously.

About the bill as introduced

The broad policy objective of the bill is to improve timeliness in New Zealand's courts by maximising judicial resources. It seeks to ensure that judicial time is focused on the most critical tasks and decisions, such as serious criminal matters. The bill would amend the Senior Courts Act 2016, the Criminal Procedure Act 2011, and the Coroners Act 2006. Cumulatively, the amendments proposed by the bill aim to significantly affect court timeliness across multiple jurisdictions and enable cases to be progressed more quickly.

The amendments include:

- increasing by 2 the number of High Court judges that may be appointed, from 55 to 57
- enabling a single judge in the High Court, Court of Appeal, or Supreme Court to strike out a civil proceeding if they are satisfied that it is plainly an abuse of court process
- restraining a person who has filed 2 civil proceedings that are struck out for being a plain abuse of process within 2 years of one another from commencing or continuing civil proceedings for 3 years, unless they get leave from the High Court
- enabling pre-trial processes for a person facing criminal charges at different locations to be dealt with at one District Court office

- allowing first appeals to the Court of Appeal relating to District Court decisions to be referred to the High Court
- enabling coroners to close an inquiry they previously decided to open if it is no longer appropriate to conduct one because of new information or changed circumstances.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Commencement

Clause 2 of the bill as introduced provides that the legislation would come into force on 1 July 2025. As this date has now passed, we recommend amending the commencement date to 1 February 2026.

Striking out plainly abusive proceedings

Clause 7 would insert new sections 164A to 164C into the Senior Courts Act. These provisions relate to striking out or otherwise dealing with plainly abusive civil proceedings.

Proposed new section 164A would enable a Registrar of a senior court to refer certain civil proceedings to a judge of the relevant court. The Registrar would need to believe that the proceeding was plainly an abuse of the court process. If the judge was satisfied that it was, new section 164B provides that they could strike out the proceeding. The judge could also make an order or give directions to ensure that the proceeding was disposed of or proceeded in a way that complied with rules made under section 148 of the Act.

We note that new sections 164A and 164B are based on a process in rules 5.35A to 5.35C of the High Court Rules 2016, which deal with striking out plainly abusive proceedings. We understand that it is intended that an order under section 164B should be allowed to be made on the papers and without notice to the person filing the proceeding. However, this aspect of Rule 5.35B is not reflected in the bill.¹ Consequently, we recommend amending section 164B to allow a judge to make an order on the papers and without giving the person who filed the proceeding the opportunity to make submissions.

¹ Rule 5.35B(3) specifies that the rule that requires a judge to give parties the opportunity to be heard does not apply.

We recognise that striking out a proceeding is a significant limitation on access to justice and should be used sparingly. While we think this strikes the right balance, we approach it with caution.

Allowing coroners to close previously opened inquiries

Clause 20 would insert new section 65A into the Coroners Act to allow coroners to close an inquiry that they had earlier opened. They would need to be satisfied that new information unavailable when they decided to open the inquiry, or another change in circumstances, meant that it was no longer appropriate to conduct the inquiry. The coroner would also need to have considered submissions from interested parties that they had notified.

Retrospectivity

We note that, under clause 20, the amendments to the Coroners Act would apply to inquiries opened before, on, or after the bill's commencement date. Principle 12.1 of the Legislation Design and Advisory Committee (LDAC) Guidelines states that legislation should not have retrospective effect. Principle 12.2 sets out the strong convention that parliamentary legislation should not generally interfere with the judicial process in particular cases before the courts.

We were advised that, as of 30 June 2025, there were 3,240 active coronial inquiries. Their average age was 637 days and the average time for disposing of inquiry cases was about 957 days. The retrospective application of the proposed amendments would mean that inquiries that a coroner had opened before the bill commenced could also be closed under new section 65A where appropriate. Without retrospective application, all existing inquiries would need to be fully completed before they could be closed. We think that the benefit of enabling the backlog of coronial inquiries to be addressed is positive.

We acknowledge that families may want to continue with an inquiry and receive findings about the circumstances leading to a death. However, we note that the bill contains a range of safeguards, which include the following:

- A coroner could only close an inquiry when new information became available or a change in circumstances meant it was no longer appropriate to conduct the inquiry.
- Before deciding to close an inquiry, a coroner would need to notify interested parties, including family members of the deceased. The coroner would need to provide 15 working days for those parties to respond, consider any submissions received, and provide written reasons for the decision.
- The bill would not apply to inquiries where the law requires a coroner to open an inquiry. Examples include when a death appears to be self-inflicted or occurs in official custody or care.
- Section 97 of the Coroners Act empowers the Solicitor-General and High Court to direct that a further inquiry be opened. Anyone may write to the Solicitor-General to request that a further inquiry be directed.

- The decision to close an inquiry or a decision under section 97 not to direct a further inquiry would also be subject to normal judicial review rights.

On balance, we consider that the overall benefits of the retrospectivity are quite large and the detriments are mitigated. We are therefore comfortable that the retrospectivity is justified.

When information about the circumstances of death would not be required

On 31 July 2025, we presented our report to the House on the Regulatory Systems (Courts) Amendment Bill.² Clause 31 of that bill as introduced would have inserted new section 65A into the Coroners Act. It would have enabled a coroner to close an inquiry into a death that had been started if certain requirements were met. We subsequently recommended that clause 31 and its related provisions be deleted because they had been replaced by broader provisions in the Judicature (Timeliness) Legislation Amendment Bill.

We note that one provision has not been carried over to this bill. That provision set out when a coroner who decided to close an inquiry under new section 65A would not have to provide information about the circumstances of the death. For consistency with sections 64 and 94 of the Coroners Act,³ we recommend inserting a similar provision as new section 65A(7A). Under our proposed amendment, the coroner would need to have taken into account the public interest in the circumstances of the death. They would also need to have considered that there was no clear benefit to the public in providing the information.

Other matter that we considered

The Criminal Procedure Act provides that the High Court is the first appeal court for most District Court judge-alone trials. The Court of Appeal is the first appeal court for District Court jury trials and some judge-alone trials. In the Court of Appeal, a panel of three judges hears all first appeals. Clause 13 of the bill would insert new section 319A into the Criminal Procedure Act. Where the Court of Appeal was the first appeal court, the bill would enable one Court of Appeal judge to remit first appeals to the High Court for determination. The judge would only need to consider that it was appropriate to do so.

We note that clause 13 of the bill as introduced provides that the decision would be entirely at the discretion of a judge. We discussed this matter with the Law Association of New Zealand at its oral hearing. Given the importance of the decision, we considered whether judges should be given guidance on how to decide whether to remit a first appeal. This could be in the form of criteria in the legislation, or judicial or practice notes. Following our discussion, the Law Association of New Zealand

² A copy of the report is available on the Parliament website.

³ Those sections respectively relate to the duties of a coroner who decides not to open an inquiry and to the certificate of and written reasons for findings.

provided a non-exhaustive list of proposed factors that a judge could be required to have regard to.⁴ We thank the Law Association for taking the time to draft this list for us to consider.

We were advised that the judge's discretion in clause 13 is drafted broadly to provide flexibility to respond to changing circumstances. The broad discretion also reflects that each decision will depend on the specific facts of a case. Although a judge would be expected to consider the matters that the Law Association raised, and any other relevant matters, we understand that including a list in legislation could be inefficient. This is because not all matters would be relevant for each case, but a judge would still need to show that they had considered them. We therefore do not recommend amending the bill to include a list of matters that a judge should consider.

We recognise that developing criteria for remitting cases to the High Court would be an operational matter for the President of the Court of Appeal. However, we think it would be helpful for judges to have clarity and sufficient guidance. We encourage the court to consider the factors identified in the Law Association's submission.

⁴ The list of factors is available in the Law Association's supplementary submission on the Parliament website.

Appendix

Committee process

The Judicature (Timeliness) Legislation Amendment Bill was referred to this committee on 22 May 2025. The House instructed us to report the bill back no later than 23 September 2025.

We called for submissions on the bill with a closing date of 25 June 2025. We received and considered submissions from 28 interested groups and individuals. We heard oral evidence from two submitters.

Advice on the bill was provided by the Ministry of Justice. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

Hon Andrew Bayly (Chairperson)

Hon Ginny Andersen

Jamie Arbuckle

Carl Bates

Tākuta Ferris

Rima Nakhle

Tom Rutherford

Todd Stephenson

Vanushi Walters

Hon Dr Duncan Webb

Dr Lawrence Xu-Nan

Related resources

The documents we received as advice and evidence are available on the Parliament website.

Key to symbols used in reprinted bill

As reported from a select committee

text inserted unanimously

~~text deleted unanimously~~

Hon Paul Goldsmith

Judicature (Timeliness) Legislation Amendment Bill

Government Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Judicature (Timeliness) Legislation Amendment Act **2025**.

2 Commencement

This Act comes into force on ~~1 July 2025~~ **1 February 2026**.

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Part 1
Amendments to Senior Courts Act 2016

3 Principal Act

This Part amends the Senior Courts Act 2016.

Subpart 1—Amendments to increase cap on number of High Court Judges	10
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4 Section 7 amended (Number of High Court Judges)

- (1) In section 7(1), (2)(c), and (3), replace “55” with “57”.
- (2) In section 7(2)(c), replace “54.5” with “56.5”.

Subpart 2—Amendments in respect of abusive civil proceedings	15
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5 Section 49 amended (Powers exercisable by Judges)

- (1) After section 49(2), insert:

- (2A) A single Judge of the Court of Appeal may—
- (a) make an order or give directions under **section 164B(2)** on a proceeding that is referred to a Judge of the Court of Appeal under **section 164A**;
 - (b) hear and determine an appeal against an order made under **section 164B(2)(a)**.

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- (2) In section 49(3), replace “Any other” with “In any other case, an”.

6 Section 81 amended (Exercise of powers of court)

After section 81(2), insert:

- (2A) A single permanent Judge of the Supreme Court may act as the court to—
- (a) make an order or give directions under **section 164B(2)** on a proceeding that is referred to a Judge of the Supreme Court under **section 164A**;
 - (b) hear and determine an application for leave to appeal against an order made under **section 164B(2)(a)**.

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7 New sections 164A to 164C and cross-headings inserted

After section 164, insert:

Striking out or otherwise dealing with plainly abusive civil proceeding

164A Registrar may refer plainly abusive civil proceeding to Judge

- (1) This section applies if—
- (a) a civil proceeding is tendered for filing in the High Court, Court of Appeal, or Supreme Court; and
 - (b) the Registrar of the court in which the proceeding is tendered believes that, on the face of the proceeding, the proceeding is plainly an abuse of the process of the court.
- (2) If the Registrar accepts the proceeding for filing, the Registrar may,—
- (a) as soon as practicable after accepting the proceeding for filing, refer it to a Judge of the court in which the proceeding was filed for consideration as to whether any orders or directions should be made or given under **section 164B**; and
 - (b) until the Judge has considered the proceeding under that section, decline to take any further actions in relation to the proceeding.

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164B Judge's powers to make orders and give directions in respect of plainly abusive civil proceeding

(1) This section applies if a Judge to whom a Registrar refers a civil proceeding under **section 164A** is satisfied that the proceeding is plainly an abuse of the process of the court.

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(2) The Judge may, on the Judge's own initiative,—

(a) make an order that the proceeding be struck out; or

(b) make an order or give directions to ensure that the proceeding is disposed of or, as the case may be, proceeds in a way that complies with rules made under section 148 that apply to the relevant court.

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(2A) The Judge may make an order or give directions under **subsection (2)**—

(a) on the papers; and

(b) without giving the person who filed the proceeding the opportunity to make submissions.

Statements that must be contained in strike-out order

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(3) If the Judge makes an order under **subsection (2)(a)** in respect of a proceeding filed by a person, the order must contain a statement stating the following matters:

(a) if the order is a first strike-out order for the purposes of **section 164C**, the consequences of a subsequent strike-out order being made, in respect of another proceeding filed by the person, within 2 years of the date of the first strike-out order, as specified in **section 164C**; and

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(b) if the order is a subsequent strike-out order for the purposes of **section 164C**, that the person is restrained in the manner specified by **section 164C(3)** for the period specified in **section 164C(4)**; and

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(c) if the order is made by a Judge of the High Court or a Judge of the Court of Appeal, the person's rights in respect of appeal against the order.

Automatic restraint on commencing or continuing civil proceeding

164C Automatic restraint on persons from commencing or continuing civil proceeding

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(1) This section applies if—

(a) an order is made under **section 164B(2)(a)** in respect of a proceeding filed by a person (the **first strike-out order**); and

(b) after the first strike-out order is made, an order is made under **section 164B(2)(a)** in respect of another proceeding filed by the same person (the **subsequent strike-out order**); and

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(c) the subsequent strike-out order referred to in **paragraph (b)** is made within 2 years of the date that the first strike-out order was made.

- (2) For the purposes of **subsection (1)**, it does not matter that—
- (a) the first strike-out order and subsequent strike-out order were made in different courts; or
 - (b) the proceedings in respect of the first strike-out order and subsequent strike-out order were commenced against the same or different persons. 5
- (3) A person referred to in **subsection (1)** is restrained from doing any of the following in a senior court, another court, or a tribunal without first obtaining the leave of the High Court:
- (a) commencing a civil proceeding (including an appeal):
 - (b) continuing a civil proceeding. 10
- (4) **Subsection (3)** applies until the earlier of the following:
- (a) 3 years from the date that the subsequent strike-out order is made; or
 - (b) the first strike-out order or subsequent strike-out order is set aside on appeal.
- (5) In respect of an application for leave to commence or continue a civil proceeding by a person restrained by **subsection (3)**,— 15
- (a) the application for leave may be made without notice, but the court may direct that the application for leave be served on any specified person; and
 - (b) the application for leave must be determined on the papers, unless the Judge considers that an oral hearing should be conducted because there are exceptional circumstances and it is appropriate to do so in the interests of justice; and 20
 - (c) the High Court's determination of the application for leave is final.
- (6) A restraint under **subsection (3)** does not apply to an appeal against an order made under **section 164B(2)(a)**. 25
- (7) This section does not prevent or affect the commencement of a private criminal prosecution in any case.

8 Cross-heading above section 166 replaced

Replace the cross-heading above section 166 with:

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Order restricting commencement or continuation of proceeding

9 Schedule 5 amended

In Schedule 5,—

- (a) insert the Part set out in **Schedule 1** of this Act as the last Part; and
- (b) make all necessary consequential amendments. 35

Part 2

Amendments to other legislation

Subpart 1—Amendments to Criminal Procedure Act 2011

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|-----------|--|-----------|
| 10 | Principal Act | 5 |
| | This subpart amends the Criminal Procedure Act 2011. | |
| 11 | Section 35 amended (Court dealing with proceeding before trial or transfer for trial: categories 1 to 3) | |
| | After section 35(3)(c), insert: | |
| | (d) any direction made under section 156A . | |
| 12 | New section 156A and cross-heading inserted | 10 |
| | After section 156, insert: | |
| | <p style="text-align: center;"><i>Management of pre-trial processes if defendant charged in respect of 2 or more offences in different District Court offices</i></p> <p>156A Pre-trial processes for 2 or more proceedings in different District Court offices may be managed in single office</p> <p>(1) This section applies if—</p> <p style="margin-left: 20px;">(a) a defendant is charged with 2 or more offences; and</p> <p style="margin-left: 20px;">(b) proceedings in respect of the offences have been commenced in 2 or more offices of the District Court.</p> <p>(2) A District Court Judge, on the Judge’s own initiative or on the application of the prosecutor or the defendant, may direct that the pre-trial processes in respect of some or all the proceedings be managed in one of the offices of the District Court in which proceedings have been commenced.</p> <p>(3) A direction under subsection (2) may only be made if the Judge is satisfied that the management in 1 office of the District Court of the pre-trial processes for all the proceedings subject to the direction would—</p> <p style="margin-left: 20px;">(a) ensure the just, timely, and efficient determination of all the proceedings; and</p> <p style="margin-left: 20px;">(b) not be contrary to the interests of justice.</p> | |
| 13 | New section 319A and cross-heading inserted | 30 |
| | In Part 6, after the subpart 12 heading, insert: | |

*Court of Appeal Judge may remit first appeals to High Court***319A Judge of Court of Appeal may remit first appeal, or application for leave to appeal to first appeal court, to High Court**

- (1) This section applies to a first appeal or an application for leave to appeal made to the Court of Appeal as the first appeal court under this Part that is against a decision (including a ruling, conviction entered, or sentenced imposed) of the District Court. 5
- (2) A Judge of the Court of Appeal, acting alone and on their own initiative, may, if they consider it appropriate, remit to the High Court for determination the first appeal or the application for leave to appeal. 10
- (3) If a matter is remitted to the High Court under **subsection (2)**, the High Court is treated as the first appeal court for the purposes of the subpart of this Part to which the first appeal applies, with all necessary modifications.
- (4) No party may appeal against a decision under this section.

14 Schedule 1AA amended 15

In Schedule 1AA,—

- (a) insert the Part set out in **Schedule 2** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

Subpart 2—Amendments to Coroners Act 2006**15 Principal Act** 20

This subpart amends the Coroners Act 2006.

16 Section 4 amended (Coroner's role)

Replace section 4(1)(e)(iii) with:

- (iii) to complete and sign a certificate of findings in relation to the death (if the inquiry is completed and not earlier closed); and 25

17 Section 8 amended (Overview of this Act)

Replace section 8(3) with:

- (3) Part 3 deals with—
- (a) the opening and conduct of inquiries into the causes and circumstances of deaths and, in particular,— 30
- (i) the holding of inquests and completion of inquiries:
- (ii) inquiries or further inquiries ordered by the Solicitor-General or the High Court; and
- (b) the closing of inquiries.

- 18 Section 28 amended (Any person may access specified certificates and notices)**
- After section 28(1)(a), insert:
- (aa) a notice under **section 65A(5)** of a coroner's decision to close an inquiry that the coroner has opened; or 5
- 19 Section 55 amended (Return on request of retained parts and samples)**
- After section 55(2)(b), insert:
- (c) the coroner notifies the Secretary of the coroner's decision to close an inquiry under **section 65A**.
- 20 New section 65A inserted (Coroner may close inquiry despite initial decision)** 10
- After section 65, insert:
- 65A Coroner may close inquiry despite initial decision**
- Grounds for closing inquiry*
- (1) A coroner, after deciding to open an inquiry (the **initial decision**), may close that inquiry if the coroner— 15
- (a) is satisfied that new information unavailable at the time of the initial decision, or another change in circumstances, means that it is no longer appropriate to conduct the inquiry; and
- (b) has considered submissions made under **subsection (4)**. 20
- Restrictions on closing inquiry*
- (2) However, a coroner must not close an inquiry under **subsection (1)**—
- (a) that is required to be opened and conducted under section 60; or
- (b) on or after the date fixed for an inquest under section 81(1) or (2); or
- (c) if the coroner is not satisfied of the matters in section 92(1); or 25
- (d) if the inquiry is ordered by the Solicitor-General or the High Court under any of sections 95 to 97.
- Notification of proposal to close inquiry*
- (3) Before deciding to close an inquiry under **subsection (1)**, a coroner must notify interested parties, in an approved form, of the proposal to close the inquiry, including— 30
- (a) the reasons for proposing to close the inquiry; and
- (b) a statement that the coroner is satisfied as to the identity of the dead person concerned.
- (4) Persons notified under **subsection (3)** may make submissions to the coroner on the proposal within 15 working days of the notification being made. 35

Notification after inquiry closed

- (5) A coroner who decides to close an inquiry under **subsection (1)** must notify the following persons of the decision in an approved form:
- (a) the Secretary:
 - (b) interested parties. 5
- (6) An approved form under **subsection (5)** must contain or have attached to it, as the case requires,—
- (a) the coroner's reasons for the decision to close the inquiry; and
 - (b) if any submissions are made under **subsection (4)**, the coroner's consideration of those submissions; and 10
 - (c) the cause of death to the extent that it is known; and
 - (d) a statement that the coroner is satisfied as to the identity of the dead person concerned.
- (7) The coroner may record the cause of death as presumed natural causes if the coroner is satisfied, based on the evidence gathered to date, that— 15
- (a) the death appears to be from natural causes; and
 - (b) no further investigation is required to discharge the coroner's role under this Act.
- (7A) In the coroner's notification under **subsection (5)**, the coroner is not required to provide information about the circumstances of the death concerned if the coroner— 20
- (a) takes into account the public interest in the circumstances of the death; and
 - (b) considers that there is no clear benefit to the public in providing the information. 25
- (8) The coroner's notification under **subsection (5)** prevails over a certificate of interim findings issued under section 93 in relation to the death concerned.

21 Section 83 amended (Specialist advisers to sit with and help coroners)

Replace section 83(4) with:

- (4) The appointment of a specialist adviser ends when— 30
- (a) the coroner conducting the inquiry concerned closes the inquiry under **section 65A**; or
 - (b) the coroner conducting the inquiry concerned completes and signs a certificate of findings in relation to the death concerned.

22 Section 94A amended (Chief coroner to monitor inquiries not completed within 1 year) 35

In section 94A, insert as subsection (2):

- (2) **Subsection (1)** does not apply if an inquiry is closed under **section 65A**.
- 23 Section 94B amended (Chief coroner to publish information regarding certain inquiries for which findings not completed)**
After section 94B(2), insert:
- (3) However, this section does not apply to an inquiry closed under **section 65A**. 5
- 24 Section 118 amended (Coroner may call for investigations or examinations or commission reports)**
After section 118(1)(b), insert:
- (c) for the purpose of deciding whether to close an inquiry that has been opened. 10
- 25 Schedule 1 amended**
In Schedule 1,—
- (a) insert the Part set out in **Schedule 3** of this Act as the last Part; and
- (b) make all necessary consequential amendments.
- Subpart 3—Amendments to High Court Rules 2016 15
- 26 Principal rules**
This subpart amends the High Court Rules 2016.
- 27 Rule 2.1 amended (Jurisdiction and powers)**
Replace rule 2.1(3)(b) with:
- (b) under **sections 164A and 164B** of the Act. 20
- 28 Rules 5.35A to 5.35C and cross-heading above rule 5.35A revoked**
Revoke rules 5.35A to 5.35C and the cross-heading above rule 5.35A.
- 29 Schedule 1AA amended**
In Schedule 1AA,—
- (a) insert the Part set out in **Schedule 4** of this Act as the last Part; and 25
- (b) make all necessary consequential amendments.

Schedule 1**New Part 3 inserted into Schedule 5 of Senior Courts Act 2016****s 9****Part 3****Provisions relating to Judicature (Timeliness) Legislation
Amendment Act 2025****5****13 Section 164A not to apply to existing proceedings**

(1) **Section 164A** does not apply to civil proceedings tendered for filing before the commencement date.

(2) In this clause, **commencement date** means the date on which the Judicature (Timeliness) Legislation Amendment Act **2025** comes into force. **10**

Schedule 2

New Part 5 inserted into Schedule 1AA of Criminal Procedure Act 2011

s 14

Part 5

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Provisions relating to Judicature (Timeliness) Legislation Amendment Act 2025

8 Interpretation

In this Part, unless the context otherwise requires,—

amendment Act means the Judicature (Timeliness) Legislation Amendment Act 2025 10

commencement date means the date on which the amendment Act comes into force.

9 Amendment Act not to apply to existing proceedings

(1) A direction under **section 156A** may not be made in respect of proceedings commenced before the commencement date. 15

(2) **Section 319A** does not apply to appeals or applications for leave to appeal made to the Court of Appeal before the commencement date.

Schedule 3**New Part 3 inserted into Schedule 1 of Coroners Act 2006****s 25****Part 3****Provisions relating to Judicature (Timeliness) Legislation
Amendment Act 2025**

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**8 Application of section 65A to inquiries opened before, on, or after
commencement date**

(1) An inquiry opened before, on, or after the commencement date is an inquiry for
the purposes of **section 65A**.

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(2) In this clause, **commencement date** means the date on which **section 65A** of
this Act comes into force.

Schedule 4**New Part 3 inserted into Schedule 1AA of High Court Rules 2016****s 29****Part 3****Provisions relating to Judicature (Timeliness) Legislation
Amendment Act 2025**

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4 Continuation of rules relating to plainly abusive proceedings

- (1) This clause applies to a proceeding tendered for filing before the commencement date.
- (2) Rules 2.1 and 5.35A to 5.35C, as in force immediately before the commencement date, continue to apply to the proceeding.
- (3) In this clause, **commencement date** means the date on which the Judicature (Timeliness) Legislation Amendment Act **2025** comes into force.

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Legislative history

22 May 2025

Introduction (Bill 159–1), first reading and referral to Justice Committee