LICENSING COURT OF SOUTH AUSTRALIA

PRACTICE DIRECTION NO 1

EXHIBITS

I, Brian Patrick Gilchrist, the Licensing Court Judge, by virtue of the provisions of section 16A of the *Liquor Licensing Act 1997* and Rule 7 of the *Licensing Court Rules 2012* do hereby make the following Practice Direction.

During the time a case is pending in Court, all exhibits submitted at trial, hearing or other proceeding shall be maintained by the Clerk, except that the Court may order exhibits requiring special security handling, such as firearms, drugs, other contraband and the like, be maintained in the custody of a law enforcement agency or some other appropriate custodian.

Upon the conclusion of the case, the Clerk shall hold all exhibits until such time as the time limit prescribed for any appeal has expired. At that time, the Clerk shall notify the parties in writing that they have thirty (30) days from the date of the notice to retrieve the exhibits from the Court. The notice shall indicate that if the exhibits are not retrieved within that time, the Clerk may dispose of them in such manner as the Clerk deems appropriate, which may include their destruction.

If the exhibits are not retrieved by the time specified in the notice, the Clerk is authorised to dispose of the exhibits by destruction or in some other appropriate manner.

If an appeal is filed, the exhibits shall remain in the custody of Clerk pending resolution of the appeal unless the Supreme Court directs that the exhibits be transferred for purpose of the appeal. At the conclusion of the appeal, and if there are no further proceedings, the Clerk shall follow the procedure set forth in the preceding paragraphs.

The Court, in its discretion, may refrain from disposing of an exhibit if it is deemed to have some intrinsic, historical or other value of significance.

Dated this 4th of July 2012

Judge Brian Gilchrist
The Licensing Court Judge

Licensing Court of South Australia