



Statutory Rules 1982 No. 296¹

Crimes Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and in pursuance of section 4 of the *Acts Interpretation Act 1901*, hereby make the following Regulations under the *Crimes Act 1914*.

Dated 28 October 1982.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

N. A. BROWN
Minister of State for Communications
for and on behalf of the Attorney-General

Citation

1. These Regulations may be cited as the Crimes Regulations.

Interpretation

2. In these Regulations, "the Act" means the *Crimes Act 1914*.

Form prescribed for purposes of section 21AA of the Act

3. The form set out in the Schedule is prescribed for the purposes of section 21AA of the Act.

SCHEDULE

Regulation 3

FORM FOR PURPOSES OF SECTION 21AA OF THE ACT

Deputy Crown Solicitor's Office
(address)

To.....charged with
*the offence of/*the following offences, namely,
before the (name of Court).

SCHEDULE—continued**Memorandum for Defendant's Information**

1. The list on the back of this document gives particulars ofother offences with which you have been charged, presented for trial or committed for sentence.

2. If you are convicted of *the charge of/*any of the charges ofmentioned above, you may, before sentence is passed, if the court so decides and the prosecutor consents, admit all or any of the offences specified in the list on the back of this document and ask that any of those offences that you have admitted be taken into account by the court in passing sentence upon you for the *offence/*offences of which you have been convicted.

3. If you are convicted and the court does take any of the offences that you have admitted into account, the maximum sentence that may be passed upon you for *the offence/*any offence of which you have been convicted will nevertheless be the maximum penalty that the court would have been empowered to impose on you for the offence if no offence had been so taken into account.

4. If the court takes an offence that you have admitted into account, the court may make such orders with respect to reparation, restitution, compensation, costs and forfeiture as it would have been empowered to make if you had been convicted before the court of the offence, but will not otherwise impose any separate punishment for the offence.

5. No proceedings may be taken or continued against you in respect of an offence taken into account by the court in respect of a conviction or convictions unless the conviction or each conviction, as the case may be, in respect of which the offence has been taken into account has been quashed or set aside.

6. If, in the circumstances mentioned in paragraph 5, proceedings are taken or continued against you in respect of an offence that you have admitted or if the court does not for any reason take any one or more of the offences that you have admitted into account, your admission cannot be used as evidence against you in any proceedings taken or continued in respect of the offence in respect of which the admission was made or in respect of any other offence specified in the list on the back of this document.

Signature of person appointed under section 69 of the *Judiciary Act 1903*

.....

Dated.....

Signature of defendant acknowledging receipt of
copy of this document

Dated.....

**Omit, if inapplicable*

Certificate

This is to certify that, in passing sentence this day onfor *the offence of/*each of the offences ofof which he has been convicted, the court has taken into account the following offences admitted by him, that is to say, the offences numberedin the list on the back of this document.

Dated this

day of

19 .

.....
(Designation of Judge or magistrate signing
certificate)

**Omit, if inapplicable*

SCHEDULE—continued

(BACK OF FORM)

Number	Place where offence was committed	Date of offence	Offence(s) (Brief description)	State whether, in respect of offence, person has been (a) charged; (b) presented for trial; or (c) committed for sentence

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 29 October 1982.