

EXPLANATORY STATEMENT

STATUTORY RULES 1985 No. 179

Issued by the Authority of the Attorney-General

CRIMES ACT 1914

CRIMES REGULATIONS (AMENDMENT)

Section 91 of the Crimes Act 1914 authorizes the Governor-General to make regulations prescribing all matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out the Act.

Section 21AA of the Act permits a court, when sentencing a person for an offence against the laws of the Commonwealth to take into account other offences in respect of which the person has been charged, presented for trial or committed for sentence. Section 21AA further provides for the filing in the court of a document specifying those other offences. It also provides for certification upon the document by the Court of the offences taken into account in imposing sentence. The document is to be in, or to the effect of, the form prescribed for the purposes of section 21AA.

The Schedule to the Crimes Regulations 1982 contains the form prescribed by those Regulations for the purposes of Section 21AA of the Act.

An amendment to the form is required as a consequence of the creation of the Office of the Director of Public Prosecutions and the abolition of the Deputy Crown Solicitor's Office.

The proposed amendment replaces a reference in the form to the Deputy Crown Solicitor's Office with a joint reference to a Branch Office of the Director of Public Prosecutions and a Regional Office of the Attorney-General's Department.

In all other respects the form remains the same.

S.R. 109/85