

EXPLANATORY STATEMENT

Commonwealth of Australia

Director of Public Prosecutions Act 1983

Director of Public Prosecutions Regulations (Amendment)

Section 34 of the Director of Public Prosecutions Act 1983 (the Act) empowers the Governor-General to make regulations for the purposes of the Act.

Subsection 6(1) of the Act sets out the functions that are conferred by the Act on the Director of Public Prosecutions (the Director). Paragraph 6(2)(b) of the Act provides that the Director has such other functions as are prescribed.

Section 112AD of the Family Law Act 1975 provides that where a Court is satisfied that a person has without reasonable excuse contravened an order made under the Family Law Act, the Court may make an order directing the person to serve periods of community service. Section 112AH of the Family Law Act provides that where a Court is satisfied that a person has without reasonable excuse failed to comply with a community service order made under Section 112AD, the court may impose a fine or otherwise deal with the person for failure to comply with the order.

The Regulation will enable the Director to institute or carry on proceedings before a Court under section 112AH of the Family Law Act against a person who failed to comply with a community service order made under section 112AD of the Family Law Act.

Details of the Regulation are as follows:

The Regulation amends the Director of Public Prosecutions Regulations by adding a new paragraph 3(d) which gives the Director the function to institute or carry on proceedings under section 112AH of the Family Law Act.

Attorney-General