

EXPLANATORY STATEMENT

Issued by the authority of the Attorney-General

DIRECTOR OF PUBLIC PROSECUTIONS REGULATIONS

1984 No. 249

By these regulations the Director of Public Prosecutions is provided with certain functions additional to those specified in sub-section 6(1) of the Director of Public Prosecutions Act 1983.

2. The regulations will enable the Director of Public Prosecutions to carry on committal or summary proceedings in respect of State or Northern Territory offences where the proceedings have been instituted by, broadly, Commonwealth officers. The occasion for the exercise of this additional function will mainly arise where, as a result of investigations by, e.g., a Joint Commonwealth/State Task Force, persons are charged with both Commonwealth and State offences and it is appropriate that the Director have the conduct of the prosecution for all offences. However, the Director will not be able to carry on proceedings in respect of indictable State offences past the committal stage in the absence of an appointment in the terms of paragraph 6(1)(m) of the Director of Public Prosecutions Act.

Secondly, the regulations will enable the Director to represent a chief of staff in respect of appeals to the Courts-Martial Appeals Tribunal. It was the previous practice for a chief of staff to be represented by the Australian Government Solicitor. As the legal work involved in such appeals essentially involves issues of criminal law, it is desirable that the Director be in a position to represent a chief of staff on such appeals.

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