

Mutual Assistance in Criminal Matters (Argentine Republic) Regulations 1992 No. 372

EXPLANATORY STATEMENT

Statutory Rules 1992 No. 372

Issued by the authority of the Attorney-General

Mutual Assistance in Criminal Matters Act 1987

Mutual Assistance in Criminal Matters (Argentine Republic) Regulations

Section 44 of the Mutual Assistance in Criminal Matters Act 1987 (the Act) provides that the Governor-General may make regulations prescribing matters required or permitted by the Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act. Section 7 of the Act provides that regulations may apply the Act to a specified foreign country to give effect to a bilateral mutual assistance treaty between Australia and that country.

A treaty on Mutual Assistance in Criminal Matters between the Government of Australia and the Government of the Argentine Republic (the Treaty) was signed on 30 August 1990. A copy of the English text of the Treaty is set out in the Schedule to the Regulations.

Article 22, paragraph 1, of the Treaty provides for each Contracting Party to notify the other in writing of the accomplishment of the procedure required for the entry into force of the Treaty and for the Treaty to enter into force thirty days after the date of such notification. The Argentine Republic has notified Australia that the processes necessary under its law to ratify the Treaty have been completed. Australia's requirement for entry into force of the Treaty is the making of Regulations applying the Act to the Argentine Republic subject to the Treaty.

The Regulations will apply the Act to the Argentine Republic subject to the Treaty.

Details of the Regulations are as follows:

Regulation 1 is a citation provision.

Regulation 2 provides for the Regulations to commence on 3 January 1993 which is the date the Treaty comes into effect between Australia and the Argentine Republic on the basis that the latter is notified of the making of the Regulations thirty days beforehand in accordance with Article 22, paragraph 1, of the Treaty.

Regulation 3 is an interpretation provision.

Regulation 4 applies the Act to the Argentine Republic subject to the Treaty the English text of which is reproduced as a Schedule to the Regulations.