



New South Wales

Criminal Procedure Amendment (Outstanding Charges) Regulation 1996

under the

Criminal Procedure Act 1986

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Criminal Procedure Act 1986*.

JEFFREY SHAW, Q.C., M.L.C.

Attorney General

Explanatory note

The object of this Regulation is to modify the form required to be prescribed under section 21 of the *Criminal Procedure Act 1986*. That form is used for the purpose of informing a person who has been found guilty of an offence of any other offences with which the person has been charged but of which the person has not been convicted. Once the person has a signed copy of the form, the court is required to ask the person whether the person admits guilt in respect of all or any of the offences and whether the person wishes them to be taken into account by the court in dealing with the person. Section 21 (2), (3) and (4) make provision for the court to take such offences into account if the person wishes it to do so.

The relevant form (Form 1 of Schedule 1 to the *Criminal Procedure Regulation 1995*) is amended so as to make it clear to the defendant that he or she has a right to receive a copy of the form after it has been signed by both the defendant and the relevant official who is required to sign it under section 21 (1) (c) of the *Criminal Procedure Act 1986*.

This Regulation is made under the *Criminal Procedure Act 1986*, including section 21 (Outstanding charges may be taken into account) and section 3B (the general regulation making power).

Criminal Procedure Amendment (Outstanding Charges) Regulation 1996

1 Name of Regulation

This Regulation is the *Criminal Procedure Amendment (Outstanding Charges) Regulation 1996*.

2 Amendment of Criminal Procedure Regulation 1995

The *Criminal Procedure Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment of Criminal Procedure Regulation 1995

(Clause 2)

[1] Schedule 1 Forms

Form 1

Insert after item 6:

7. You are entitled to receive a copy of this document when it has been signed by you and by the official who is authorised to sign it.

[2] Schedule 1, Form 1

Omit “acknowledging receipt of copy of this document”.