



New South Wales

Crimes (General) Amendment (Concealment of Offences) Regulation 1998

under the
Crimes Act 1900

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes Act 1900*.

J. W. Shaw
Attorney General

Explanatory note

Section 316 of the *Crimes Act 1900* creates an offence of failing to disclose a serious offence committed by another person. Subsection (4) of that section, however, provides that prosecution of a person for the non-disclosure is not to be instituted without the approval of the Attorney General if the serious offence concerned comes to the person's knowledge in the course of practising or following a prescribed profession, calling or vocation. The object of this Regulation is to prescribe the relevant professions, occupations and callings.

This Regulation is made under section 316 (5) of the *Crimes Act 1900*, a provision enacted by the *Crimes Legislation Amendment Act 1997*.

1998 No 166

Clause 1 Crimes (General) Amendment (Concealment of Offences) Regulation 1998

Crimes (General) Amendment (Concealment of Offences) Regulation 1998

1 Name of Regulation

This Regulation is the *Crimes (General) Amendment (Concealment of Offences) Regulation 1998*.

2 Amendment of Crimes (General) Regulation 1995

The *Crimes (General) 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

(Clause 2)

Clause 5A

Insert after clause 5:

5A Concealment of offences by certain persons

For the purposes of section 316 (4) of the Act, the following professions, callings or vocations are prescribed:

- (a) a legal practitioner,
- (b) a medical practitioner,
- (c) a psychologist,
- (d) a nurse,
- (e) a social worker, including:
 - (i) a support worker for victims of crime, and
 - (ii) a counsellor who treats persons for emotional or psychological conditions suffered by them,
- (f) a member of the clergy of any church or religious denomination,
- (g) a researcher for professional or academic purposes.