



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*.

---

## **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.