



New South Wales

Criminal Procedure Amendment Regulation 2000

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 require notice of an accused person's intention to adduce evidence of substantial mental impairment at his or her trial for murder to be given to the Director of Public Prosecutions at least 35 days before the date on which the trial is listed to commence, so continuing under section 49 of the *Criminal Procedure Act 1986* a requirement that formerly existed under section 405AB of the *Crimes Act 1900*.

This Regulation is made under the *Criminal Procedure Act 1986*, including section 5 (the general power to make regulations) and section 49.

2000 No 62

Clause 1 Criminal Procedure Amendment Regulation 2000

Criminal Procedure Amendment Regulation 2000

1 Name of Regulation

This Regulation is the *Criminal Procedure Amendment Regulation 2000*.

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

(Clause 2)

Clause 15A

Omit the clause. Insert instead:

15A Notice of intention to adduce evidence of substantial mental impairment: sec 49

For the purposes of section 49 (1) of the Act, notice of an accused person's intention to adduce evidence of substantial mental impairment at his or her trial for murder:

- (a) must be in Form 5, and
- (b) must be given to the Director of Public Prosecutions at least 35 days before the date on which the trial is listed to commence.