



District Court Amendment (Fitness for Trial Elections) Rule 2004

under the

District Court Act 1973

The District Court Rule Committee has made the following rule of court under the *District Court Act 1973*.

A Grew
Secretary of the Rule Committee

Explanatory note

The object of this Rule is to amend Part 53 of the *District Court Rules 1973* to require an election under section 11A of the *Mental Health (Criminal Procedure) Act 1990* to be made in writing in the approved form. Section 11A of that Act enables an accused person to elect, in certain circumstances, for the trial judge alone to determine whether the person is unfit to be tried for an offence.

2004 No 647

Clause 1 District Court Amendment (Fitness for Trial Elections) Rule 2004

District Court Amendment (Fitness for Trial Elections) Rule 2004

under the

District Court Act 1973

1 Name of Rule

This Rule is the *District Court Amendment (Fitness for Trial Elections) Rule 2004*.

2 Amendment of District Court Rules 1973

The *District Court Rules 1973* are amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Part 53

Insert after rule 16:

17 Elections under section 11A of Mental Health (Criminal Procedure) Act 1990

An election made by a person under section 11A of the *Mental Health (Criminal Procedure) Act 1990* must be made in writing in or to the effect of the approved form.