



New South Wales

# Crimes (Forensic Procedures) Amendment (Form of Consent) Regulation 2010

under the

Crimes (Forensic Procedures) Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Forensic Procedures) Act 2000*.

JOHN HATZISTERGOS, MLC  
Attorney General

## Explanatory note

The object of this Regulation is to prescribe the particulars that are required to be included in the form of consent provided by the parent or guardian of a child under 10 years of age to the carrying out of a forensic procedure on that child.

This Regulation is made under the *Crimes (Forensic Procedures) Act 2000*, including sections 81C (4) (a) and 118 (the general regulation-making power).

## **Crimes (Forensic Procedures) Amendment (Form of Consent) Regulation 2010**

under the

Crimes (Forensic Procedures) Act 2000

### **1 Name of Regulation**

This Regulation is the *Crimes (Forensic Procedures) Amendment (Form of Consent) Regulation 2010*.

### **2 Commencement**

This Regulation commences on 17 May 2010 and is required to be published on the NSW legislation website.

### **3 Amendment of Crimes (Forensic Procedures) Regulation 2008**

#### **Clause 11A**

Insert after clause 11:

#### **11A Form of consent—parent or guardian of child under 10 years of age**

For the purposes of section 81C (4) (a) of the Act, the following are the prescribed particulars:

- (a) the name of the parent or guardian giving consent to the carrying out of the forensic procedure,
- (b) a description of the forensic procedure,
- (c) the name of the police officer who has requested consent to the carrying out of the procedure,
- (d) a statement as to whether or not the police officer has informed the person (personally or in writing) of the matters set out in section 81C (3) of the Act,
- (e) the name of the independent person in whose presence the consent is given,
- (f) a statement indicating whether the consent is given subject to a condition about on which index, if any, information obtained from the analysis of forensic material taken in accordance with the consent may be placed.