



New South Wales

# Crimes (Sentencing Procedure) Amendment (Prescribed Persons) Regulation 2016

under the

Crimes (Sentencing Procedure) Act 1999

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Sentencing Procedure) Act 1999*.

GABRIELLE UPTON, MP  
Attorney General

## Explanatory note

Under Division 3 of Part 3 of the *Crimes (Sentencing Procedure) Act 1999*, in any criminal proceedings where a court finds an offender guilty of an offence, the court may, when dealing with the offender, take into account other offences with which the offender is charged. The additional offences to be taken account of must be filed with the court in a document (the *list of additional charges*) that is signed by the offender and either the Director of Public Prosecutions or a person or class of persons prescribed by the regulations.

The object of this Regulation is to prescribe the Secretary of the Department of Planning and Environment as a person who may sign a list of additional charges.

This Regulation also updates terminology consequent on the enactment of the *Government Sector Employment Act 2013* and past administrative changes.

This Regulation is made under the *Crimes (Sentencing Procedure) Act 1999*, including sections 32 and 103 (the general regulation-making power).

## **Crimes (Sentencing Procedure) Amendment (Prescribed Persons) Regulation 2016**

under the

Crimes (Sentencing Procedure) Act 1999

### **1 Name of Regulation**

This Regulation is the *Crimes (Sentencing Procedure) Amendment (Prescribed Persons) Regulation 2016*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

### **3 Amendment of Crimes (Sentencing Procedure) Regulation 2010**

#### **(1) The whole Regulation**

Omit “Director-General” wherever occurring. Insert instead “Secretary”.

#### **(2) Clauses 4 (2) (b), (f) and (g) and 7A (b)–(d)**

Omit “Department of Finance and Services” wherever occurring.

Insert instead “Department of Finance, Services and Innovation”.

#### **(3) Clauses 4 (2) (b) and 7A (b)**

Omit “such position in that Department” wherever occurring.

Insert instead “person employed as Commissioner for Fair Trading”.

#### **(4) Clause 4 (2) (h)**

Omit “Director General”. Insert instead “Secretary”.

#### **(5) Clause 4 (2) (h)–(j)**

Omit “Department of Health” wherever occurring.

Insert instead “Ministry of Health”.

#### **(6) Clause 4 (2) (l)**

Insert after clause 4 (2) (k):

(l) the Secretary of the Department of Planning and Environment.

#### **(7) Clause 21 Assessment of effect of order on children**

Omit “Department of Human Services” from clause 21 (2).

Insert instead “Department of Family and Community Services”.