



New South Wales

Crimes Regulation 2020

under the

Crimes Act 1900

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes Act 1900*.

MARK SPEAKMAN, MP

Attorney General, and Minister for the Prevention of Domestic Violence

Explanatory note

The object of this Regulation is to repeal and remake, with minor amendments, the *Crimes Regulation 2015*, which would otherwise be repealed on 1 September 2020 by section 10(2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following—

- (a) prescribing relevant professions, callings and vocations for the purposes of sections 316 and 316A of the *Crimes Act 1900*, which relate to the prosecution of certain persons for failing to disclose a serious indictable offence or child abuse offence committed by another person,
- (b) repeal, savings and formal matters.

This Regulation is made under the *Crimes Act 1900*, including sections 316(5), 316A(7) and 582 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely, matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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1 Name of Regulation

This Regulation is the *Crimes Regulation 2020*.

2 Commencement

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

Note. This Regulation repeals and replaces the *Crimes Regulation 2015*, which would otherwise be repealed on 1 September 2020 by section 10(2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation—

the Act means the *Crimes Act 1900*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Concealment of offences by certain persons

For the purposes of sections 316(5) and 316A(7) 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,
- (h) if the child abuse offence referred to in section 316A(1) of the Act is an offence under section 60E of the Act, a school teacher, including a principal of a school,
 - (i) an arbitrator,
 - (j) a mediator.

5 Repeal and savings

- (1) The *Crimes Regulation 2015* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Crimes Regulation 2015*, had effect under that Regulation continues to have effect under this Regulation.