

Criminal Procedure Act 2004

Criminal Procedure Amendment Regulations 2014

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Criminal Procedure Amendment Regulations 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Criminal Procedure Regulations 2005*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definition of ***working day***.
- (2) In regulation 3(1) insert in alphabetical order:

approved user, of the courts electronic system, means a person —

- (a) who is authorised by the CEO under regulation 5A to use the courts electronic system; and
- (b) whose identity is verified by the courts electronic system each time the person uses the system;

CEO mean the chief executive officer of the department of the Public Service principally assisting the Minister in the administration of the CPA;

courts electronic system means the electronic system for the management of proceedings in Western Australian courts;

- (3) In regulation 3(1) in the definition of ***lodge***:

- (a) after “court concerned” insert:

by means of the courts electronic system or

- (b) delete “requires;” and insert:

requires.

5. Regulations 5A and 5B inserted

After regulation 4 insert:

5A. Authorisation of persons to lodge documents by means of courts electronic system

The CEO may, from time to time, by written notice, authorise a specified person, or a person in a specified class of persons, to use the courts electronic system to lodge with, or make available to, the court documents of a specified class.

5B. Means of completing prescribed forms electronically

Each form in Schedule 1 may be completed electronically by an approved user by entering the information required to complete the form into the courts electronic system.

6. Regulation 8 amended

- (1) In regulation 8(2) after “prosecution notice” insert:

that is not lodged by means of the courts electronic system

- (2) In regulation 8(5) after “prosecution notice” insert:

that is not lodged by means of the courts electronic system

- (3) After regulation 8(5) insert:

- (6) If a prosecution notice that is lodged by means of the courts electronic system alleges that more than one person committed an offence, the prosecutor must provide for the prosecution notice to be associated electronically with the prosecution notices for each of the other accused persons.

7. Regulation 13A inserted

At the end of Part 4 Division 1 insert:

**13A. Recording of matters on prosecution notice
(Act s. 47(1) and 68)**

For the purposes of the *Courts and Tribunals
(Electronic Processes Facilitation) Act 2013*
section 11, the information referred to in sections 47(1)
and 68 of the CPA may be incorporated in a
prosecution notice that is in electronic form by entering
the information in the courts electronic system in
respect of the prosecution notice.

R. KENNEDY, Clerk of the Executive Council.
