



Australian Capital Territory

Director of Public Prosecutions Regulations 1991 No 24

made under the

Director of Public Prosecutions Act 1990

Republication No 2

Republication date: 23 April 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Director of Public Prosecutions Regulations 1991*, made under the *Director of Public Prosecutions Act 1990* as in force on 23 April 2002. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to
12 September 2001



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1 Name of regulations

These regulations are the *Director of Public Prosecutions Regulations 1991*.

3 Prescribed functions

For the Act, section 6 (1) (o) the following functions are prescribed:

- (a) instituting or responding to, or conducting, on behalf of the Territory or any other person as the appellant, applicant or respondent, an appeal, application or review (including administrative review) arising out of proceedings referred to in the Act, section 6 (1) (b);
- (b) if the director, with the consent of the Attorney-General, holds an appointment or commission or is otherwise authorised to prosecute offences against the laws of the Commonwealth—
 - (i) instituting such a prosecution; or
 - (ii) conducting such a prosecution, whether instituted by the director or not; or
 - (iii) instituting proceedings for the commitment of a person for trial in respect of an indictable offence against a law of the Commonwealth; or
 - (iv) conducting such proceedings, whether instituted by the director or not; or
 - (v) instituting or responding to, or conducting, as or on behalf of the appellant, applicant or respondent, an appeal, application or review arising out of a prosecution or proceedings referred to in this paragraph;

in accordance with the terms of the appointment, commission or authorisation if the prosecution or proceedings arises or arise out of the facts or circumstances on which a matter referred to in the Act, section 6 (1) (a), (b) or (c) is based, being a matter

that has not been completed or otherwise determined before the prosecution or proceedings is or are instituted.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
num = numbered	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

The *Director of Public Prosecutions Regulations 1991* were originally the *Director of Public Prosecutions Regulations*. They were renamed by the *Legislation Act 2001*.

Before 12 September 2001, regulations commenced on their notification day unless otherwise stated (see *Subordinate Laws Act 1989* s 6).

Director of Public Prosecutions Regulations 1991 No 24

notified 16 October 1991 (Gaz 1991 No S115)

commenced 16 October 1991

as amended by

Legislation (Consequential Amendments) Act 2001 No 44 pt 103

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 103 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

4 Amendment history

Name of regulations

reg 1 am R2 LA

Interpretation

reg 2 om Act 2001 No 44 pt 103

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	30 November 1991

Authorised when accessed at www.legislation.act.gov.au or in authorised printed form

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