

South Australia

## **Criminal Law Consolidation (General) Regulations 2006**

under the *Criminal Law Consolidation Act 1935*

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### Legislative history

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#### **1—Short title**

These regulations may be cited as the *Criminal Law Consolidation (General) Regulations 2006*.

#### **3—Interpretation**

In these regulations—

*Act* means the *Criminal Law Consolidation Act 1935*.

#### **3A—Prescribed occupations—aggravated offences**

- (1) For the purposes of section 5AA(1)(k)(ii), emergency work is a prescribed occupation or employment.
- (2) In this regulation—

***accident or emergency department*** of a hospital means the part of a hospital dedicated to the hospital's major accident and emergency functions, including those areas of the department used for administrative, waiting, reception, storage, diagnostic, treatment, consultation, triage and resuscitation functions and the access bays for ambulance and police;

***emergency*** means an event that causes or threatens to cause—

- (a) the death of, or injury or other damage to the health of, any person; or
- (b) the destruction of, or damage to, property; or
- (c) a disruption to essential services or to services usually enjoyed by the community; or
- (d) harm to the environment, or to flora or fauna;

***emergency services provider*** means—

- (a) South Australian Country Fire Service; or
- (b) South Australian Metropolitan Fire Service; or

- (c) South Australian State Emergency Service; or
- (d) SA Ambulance Service Inc; or
- (e) St John Ambulance Australia South Australia Incorporated; or
- (f) Surf Life Saving South Australia Incorporated; or
- (g) a body or organisation that is a member of Volunteer Marine Rescue—South Australia Incorporated; or
- (h) the accident or emergency department of a hospital;

**emergency work** means work carried out (whether or not in response to an emergency) by or on behalf of an emergency services provider.

#### 4—Prescribed objects

- (1) For the purposes of section 32A of the Act, a **prescribed object** is an object that would, on impact with a vehicle, cause severe damage to the vehicle or harm (whether directly or indirectly) to an occupant of the vehicle (but does not include soft fruits, vegetables or eggs).

**Examples—**

- (a) rocks;
- (b) bricks;
- (c) lumps, blocks or pieces of clay or concrete;
- (d) sizeable or heavy pieces of metal or metal objects;
- (e) sizeable or heavy pieces of wood;
- (f) glass bottles;
- (g) filled cans or plastic containers.

- (2) In this regulation—  
**harm** has the same meaning as in section 21 of the Act.

#### 5—Notice to admit facts—prescribed form of warning

For the purposes of section 285BA(3) of the Act the prescribed form of warning to be included in a notice under section 285BA is as follows:

You are not required to admit these facts, but if you are convicted, the Court is required to take an unreasonable failure to make an admission in response to this notice into account in fixing sentence.

You would unreasonably fail to admit facts if, for example, you claimed privilege against incriminating yourself as a reason for not making the admission and made the prosecution prove facts which were not seriously contested at your trial.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Formerly

*Criminal Law Consolidation (Section 32A Prescribed Objects) Regulations 2006*

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2006	223	<i>Gazette 7.9.2006 p3173</i>	10.9.2006: r 2
2007	16	<i>Gazette 1.3.2007 p680</i>	1.3.2007: r 2
<b>2007</b>	<b>314</b>	<b><i>Gazette 13.12.2007 p4883</i></b>	<b>13.12.2007: r 2</b>
2011	195	<i>Gazette 18.8.2011 p3491</i>	21.8.2011: r 2

### Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 1	varied by 16/2007 r 4	1.3.2007
<i>r 2</i>	<i>deleted by 16/2007 r 5</i>	<i>1.3.2007</i>
<b>r 3A</b>	<b>inserted by 314/2007 r 4</b>	<b>13.12.2007</b>
r 5	inserted by 16/2007 r 6	1.3.2007

### Historical versions

1.3.2007