

South Australia

## **Criminal Law Consolidation (Section 32A Prescribed Objects) Variation Regulations 2007**

under the *Criminal Law Consolidation Act 1935*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Criminal Law Consolidation (Section 32A Prescribed Objects) Variation Regulations 2007*.

#### **2—Commencement**

These regulations will come into operation on the day on which section 4 of the *Statutes Amendment (Criminal Procedure) Act 2005* comes into operation.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Criminal Law Consolidation (Section 32A Prescribed Objects) Regulations 2006***

#### **4—Variation of regulation 1—Short title**

Regulation 1—delete "(Section 32A Prescribed Objects)" and substitute:  
(General)

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## **5—Revocation of regulation 2**

Regulation 2—delete the regulation

## **6—Insertion of regulation 5**

After regulation 4 insert:

### **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.

#### **Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

## **Made by the Governor**

with the advice and consent of the Executive Council  
on 1 March 2007

No 16 of 2007

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