

Attorney General Regulations Amendment (Electronic Processes) Regulations 2023

SL 2023/19

Made by the deputy of the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Attorney General Regulations Amendment (Electronic Processes) Regulations 2023*.

2. Commencement

These regulations come into operation as follows —

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

Part 2 — *Criminal Injuries Compensation Regulations 2003* amended

3. Regulations amended

This Part amends the *Criminal Injuries Compensation Regulations 2003*.

4. Regulation 4A inserted

At the end of Part 2 insert:

4A. Compensation application may be made and given electronically

For the purposes of section 11(1), a compensation application may be made and given to the Chief Assessor by means of the electronic case management system for the management of proceedings in Western Australian courts and tribunals.

Part 3 — *Criminal Procedure Regulations 2005* amended

5. Regulations amended

This Part amends the *Criminal Procedure Regulations 2005*.

6. Regulation 26 amended

(1) Before regulation 26(1) insert:

(1A) In this regulation —

produce electronically, in relation to a record or thing, means to provide the record or thing, in a format approved by the court, to the court —

- (a) by saving it to a CD-ROM, DVD or USB device and —
 - (i) providing the CD-ROM, DVD or USB device to the court in person; or
 - (ii) sending the CD-ROM, DVD or USB device to the court by post or courier;
- or
- (b) by other electronic means approved by a registrar.

(2) Delete regulation 26(2) and insert:

(2) The witness may produce the record or thing —

- (a) if the original record or thing is in electronic form — by producing it electronically; or
- (b) otherwise — by providing it to the court in person or sending it to the court by post or courier.

(3) After regulation 26(5) insert:

(5A) If the summons requires the production of a record and does not require that the original record be produced, the witness may comply with subregulation (2) or (4)(b) by producing a copy of the record (whether in electronic form or otherwise).

(4) In regulation 26(6) delete “a registrar” and insert:

a court officer

Note: The heading to amended regulation 26 is to read:

Early compliance with summons to produce

7. Schedule 1 Form 11 amended

In Schedule 1 Form 11:

(a) delete:

Command	You are commanded to produce the records or things described below at the place, and on or before the date and time specified below.
Time and place to produce record or thing	Date: _____ Time: _____ Court: _____ Place: _____
Records or things to be produced	You must produce to the court the following: <i>[Describe in reasonable detail each record or thing to be produced; on an attachment if necessary.]</i>

and insert:

Command	You are commanded to produce the records or things described below on or before the date and at or before the time specified below.
Time to produce record or thing	Date: _____ Time: _____ Court: _____
Records or things to be produced	You must produce to the court the following: <i>[List the records or things and whether the original of any record is required. If insufficient space, attach list.]</i>

(b) after the last row insert:

Notes	
Production of copy of record instead of original record	Unless this summons states that the original of a record is required, you may produce a copy of it instead.

V. MOLAN, Clerk of the Executive Council.
