



Statutory Rules 1990 No. 227<sup>1</sup>

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## Crimes Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under section 4 of the *Acts Interpretation Act 1901*, hereby make the following Regulations under the *Crimes Act 1914*.

Dated 5 July 1990.

BILL HAYDEN  
Governor-General

By His Excellency's Command,

MICHAEL TATE  
Minister of State for  
Justice and Consumer Affairs  
for and on behalf of the  
Attorney-General

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### Citation

1. These Regulations may be cited as the Crimes Regulations.

### Interpretation

2. In these Regulations, unless the contrary intention appears: "the Act" means the *Crimes Act 1914*.

**Prescribed forms**

3. The form in Schedule 3 referred to in Column 3 of an item in Schedule 1 is prescribed for the purposes of the provision of the Act specified in Column 2 of that item.

**Optional forms**

4. The form in Schedule 3 referred to in Column 3 of an item in Schedule 2 may be used for the purposes of the provision of the Act specified in Column 2 of that item.

**State laws prescribed for the purposes of subsection 19AZD (3) of the Act**

5. (1) For the purposes of subsection 19AZD (3) of the Act the following pre-release permit schemes are prescribed:

- (a) the release of a prisoner to serve a period of home detention under Division 6 of Part II of the *Corrective Services Act 1988* of Queensland;
- (b) the release of a prisoner to serve a period of home detention under Division VIA of Part IV of the *Correctional Services Act, 1982* of South Australia;
- (c) a pre-release permit granted under Division 6 of Part VIII of the *Corrections Act 1986* of Victoria, Division 5 of Part VIII of the *Corrections Regulations of Victoria* or section 19 of the *Penalties and Sentences Act 1985* of Victoria;
- (d) a work release order made under Part IIIB of the *Offenders Probation and Parole Act 1963* of Western Australia.

(2) A federal offender who is or may be liable to deportation from Australia is not eligible to participate in a pre-release permit scheme prescribed under subregulation (1).

**State Laws prescribed for the purposes of section 20AB of the Act**

6. For the purposes of section 20AB of the Act the following orders are prescribed:

- (a) a home detention order made under Part IVA of the *Criminal Law (Conditional Release of Offenders) Act 1971* of the Northern Territory;
- (b) a community-based order made under Part 5 of the *Penalties and Sentences Act 1985* of Victoria.

**Specified circumstances-paragraph 85ZKB (2) (c) of the Act**

7. For the purposes of paragraph 85ZKB (2) (c) of the Act, the following circumstances are specified:

- (a) in relation to the advertising, displaying, offering for sale or sale of an apparatus or device, where the apparatus or device:
  - (i) is advertised, displayed or offered for sale; or

- (ii) is sold;  
for a purpose related to interception of communications that is not in contravention of subsection 7 (1) of the *Telecommunications (Interception) Act 1979* because of subsection 6 (3) or 7 (2) of that Act;
- (b) in relation to the manufacture or possession of an apparatus or device, where the apparatus or device:
  - (i) is manufactured; or
  - (ii) is in the possession of a person;  
for a purpose related to a circumstance specified in paragraph (a);
- (c) in relation to the manufacture of an apparatus or device, where the apparatus or device is manufactured for a purpose related to interception by a person in the course of the person's duties relating to interception of communications passing over a telecommunications system (being a telecommunications system within the meaning of the *Telecommunications (Interception) Act 1979*), that is interception of communications otherwise than in contravention of subsection 7 (1) of that Act;
- (d) in relation to the manufacture, sale or possession of an apparatus or device, where the apparatus or device is to be exported from Australia;
- (e) in relation to the manufacture, offering for sale, sale or possession of an apparatus or device, where the apparatus or device:
  - (i) is manufactured; or
  - (ii) is offered for sale; or
  - (iii) is sold; or
  - (iv) is in the possession of a person;  
for a purpose related to the use of a listening device under Division 1A of Part XII of the *Customs Act 1901*, Division 2 of Part II of the *Australian Federal Police Act 1979*, Division 2 of Part III of the *Australian Security Intelligence Organization Act 1979* or a law of a State or Territory;
- (f) in relation to the possession of an apparatus or device, where the possession of the apparatus or device is related to the person's duties relating to the investigation or prosecution of offences under the *Telecommunications (Interception) Act 1979* or Part VIIB of the *Crimes Act 1914*.

**Exclusions from Division 3 of Part VIIC of Act**

**8. (1)** For the purposes of paragraph 85ZZH (k) of the Act, the persons and bodies specified in column 2 of Schedule 4 are prescribed for the purposes, and in relation to convictions for the offences,

respectively specified in columns 3 and 4 of that Schedule in relation to those persons and bodies.

(2) In Schedule 4, “**drug offence**” means an offence constituted by the production, possession, supply, importation or export of a substance that is:

- (a) a narcotic substance within the meaning of the *Customs Act 1901*; or
- (b) a drug within the meaning of:
  - (i) subregulation 10A (5) of the Customs (Prohibited Exports) Regulations; or
  - (ii) subregulation 5 (20) of the Customs (Prohibited Imports) Regulations.

**Repeal**

9. Statutory Rules 1982 No. 296, 1985 No. 179, 1987 No. 43 and 1990 Nos. 32 and 156 are repealed.

**Savings**

10. Nothing in these Regulations affects the operation of an order made before the commencement of these Regulations under section 20AB of the Act.

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**SCHEDULE 1**

Regulation 3

**PRESCRIBED FORMS**

Column 1	Column 2	Column 3
Item No.	Provision of the Act	Number of form
1	Section 16BA . . . . .	1
2	Subsection 19AU (2) . . . . .	3
3	Subsection 19AV (2) . . . . .	4
4	Subsection 19AW (1) . . . . .	5

**SCHEDULE 2**

Regulation 4

**OPTIONAL FORMS**

Column 1	Column 2	Column 3
Item No.	Provision of the Act	Number of form
1	Subsection 19AS (1) . . . . .	2
2	Subsection 19AW (2) . . . . .	6
3	Paragraph 19AX (1) (b) . . . . .	7
4	Subsection 19AX (2) . . . . .	8
5	Subsection 19AZ (2) . . . . .	9
6	Section 19B . . . . .	10
7	Paragraph 20 (1) (a) . . . . .	11
8	Paragraph 20 (1) (b) . . . . .	12
9	Paragraph 20BF (3) (b) . . . . .	13
10	Subsection 20BF (5) . . . . .	14
11	Subsection 20BF (6) . . . . .	15
12	Paragraph 20BM (3) (b) . . . . .	16
13	Subsection 20BM (5) . . . . .	17
14	Subsection 20BM (6) . . . . .	18
15	Paragraph 20BW (1) (a) . . . . .	19
16	Paragraph 20BW (1) (b) . . . . .	20
17	Subsection 20BW (2) . . . . .	21
18	Subsection 21B (3) . . . . .	22

**SCHEDULE 3**

**FORM 1**

(FRONT OF FORM)

COMMONWEALTH OF AUSTRALIA

*Crimes Act 1914*

**FORM FOR THE PURPOSES OF SECTION 16BA**

\*Branch Office of the Director of Public Prosecutions

\*Regional Office of the Attorney-General's Department

1

TO:

2

You are charged with the following federal \*offence/\*offences:

(i) 3;

(ii) 3;

before the 4.

**Information for Defendant**

1. The list on the back of this document gives particulars of \*offences which you are believed to have committed. 5 other \*offence/

2. If you are convicted of \*the charge/\*any of the charges mentioned above and before sentence is passed, you may:

(a) if:

(i) the court decides; and

(ii) the prosecution agrees;

admit all or any of the offences specified on the back of this document; and

(b) ask that any of those offences that you have admitted be taken into account by the court in passing sentence for the \*offence/\*offences of which you have been convicted.

3. If you are convicted and the court does take any of the offences that you have admitted into account, the maximum sentence that may be passed upon you for \*the offence/\*any offence of which you have been convicted will still be the maximum penalty that the court could have imposed on you for the offence if no other offence had been taken into account.

4. If the court takes an offence that you have admitted into account, the court may make such orders about reparation, restitution, compensation, costs and forfeiture as it could have made if you had been convicted before the court of the offence, but will not impose any other punishment for the offence.

5. No proceedings may be taken or continued against you for an offence taken into account by the court in respect of a conviction unless the conviction in respect of which the offence has been taken into account has been quashed or set aside.

6. If, in the circumstances mentioned in paragraph 5:

(a) proceedings are taken or continued against you for an offence that you have admitted; or

(b) if the court does not for any reason take anyone or more of the offences that you have admitted into account;

your admission cannot be used as evidence against you in any proceedings taken or continued for the offence about which the admission was made or for any other offence listed on the back of this document.

6

7

**SCHEDULE 3—continued**

**\*Director of Public Prosecutions/\*A person authorised by the Director of Public Prosecutions under subsection 16BA (1) of the *Crimes Act 1901*/\*A person appointed under section 69 of the *Judiciary Act 1903***

8

**Acknowledgement**

I, <sup>9</sup> <sup>2</sup>, acknowledge receipt of a copy of this document.

9

8

**CERTIFICATE**

This is to certify that in passing sentence on <sup>2</sup> for the \*offence/\*offences listed above of which <sup>2</sup> has been convicted, the court has taken into account the \*offence/\*offences admitted by <sup>2</sup> which are numbered <sup>10</sup> in the list on the back of this document.

Dated

8

11

\*Judge of

/\*Magistrate

**SCHEDULE 3—continued**  
**(BACK OF FORM)**

*Crimes Act 1914*, section 16BA

Federal offences which you are  
 believed to have committed

Item number	Place where offence was committed	Date of offence	Brief description of offence

- 
- <sup>1</sup> insert address
  - <sup>2</sup> insert name of defendant
  - <sup>3</sup> insert details of offences
  - <sup>4</sup> insert name of court
  - <sup>5</sup> insert number of offences listed
  - <sup>6</sup> signature of the Director of Public Prosecutions, person authorised by the Director of Public Prosecutions under subsection 16BA (1) of the *Crimes Act 1914* or person appointed under section 69 of the *Judiciary Act 1903*
  - <sup>7</sup> insert full name of person authorised by the Director of Public Prosecutions under subsection 16BA (1) of the *Crimes Act 1914* or of person appointed under section 69 of the *Judiciary Act 1903*
  - <sup>8</sup> insert date
  - <sup>9</sup> signature of defendant
  - <sup>10</sup> insert the number of each offence taken into account
  - <sup>11</sup> signature of judge or magistrate
  - \* omit if inapplicable
-



## SCHEDULE 3—continued

## FORM 2

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

WARRANT UNDER SECTION 19AS AUTHORISING  
THE DETENTION OF A PERSON

TO: \*all members and special members of the Australian Federal Police:/\*all members of  
the police force of <sup>1</sup>:

AND to the officer in charge of <sup>2</sup> in <sup>1</sup>:

I, <sup>3</sup>, \*a Judge of <sup>4</sup>/\*Magistrate:

(a) under paragraph 19AS(1)(c) of the *Crimes Act 1914* authorise those members in  
<sup>1</sup> to take <sup>5</sup> to <sup>2</sup> in  
<sup>1</sup> and deliver \*him/\*her to the officer in charge of that prison,  
together with this warrant; and

(b) authorise the officer in charge of <sup>2</sup> in <sup>1</sup> to receive  
<sup>5</sup> into your custody and imprison \*him/\*her for the \*term/\*terms  
of the \*sentence/\*sentences of imprisonment specified in the Schedule.

This warrant is issued because <sup>5</sup> is a person:

(a) who is serving or is to serve a federal sentence within the meaning of Part 1B of the  
*Crimes Act 1914*; and

(b) who was released on parole or licence under that Act; and

(c) whose parole or licence is taken to have been revoked under section 19AQ of that  
Act, because one or more further federal State or Territory sentences have been  
imposed on \*him/\*her; and

(d) who has become liable under section 19AQ to serve the part of each of the sentences  
referred to in paragraph (a) that \*he/\*she had not served at the time of \*his/\*her  
release.

## SCHEDULE

## DETAILS OF \*SENTENCE/\*SENTENCES TO BE SERVED

- <sup>1</sup>.
- <sup>2</sup>.
- <sup>3</sup>.

Dated <sup>7</sup>.

<sup>8</sup>

\*Judge of <sup>4</sup>/\*Magistrate

<sup>1</sup> insert State or Territory

<sup>2</sup> insert name of prison

<sup>3</sup> insert full name of judge or magistrate

<sup>4</sup> insert name of court

<sup>5</sup> insert full name of person

<sup>6</sup> insert details of each outstanding sentence commencing with the longest outstanding  
sentence

<sup>7</sup> insert date

<sup>8</sup> signature of judge or magistrate.

\* omit if inapplicable

SCHEDULE 3—continued

FORM 3

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

NOTICE OF REVOCATION UNDER SUBSECTION 19AU (2)

To <sup>1</sup>, a person to whom \*a parole order under section 19AL/ \*a licence under section 19AP of the *Crimes Act 1914* relates:

I, <sup>2</sup>, Attorney-General of the Commonwealth of Australia, under subsection 19AU (2) of the *Crimes Act 1914* notify you that:

\* (a) you have not complied with the following \*condition/\*conditions of your \*parole order/\*licence:

- (i) <sup>3</sup>; and
- (ii) <sup>3</sup>; and

\* (a) I have reasonable grounds to suspect that you have not complied with the following \*condition/\*conditions of your \*parole order/\*licence:

- (i) <sup>3</sup>; and
- (ii) <sup>3</sup>; and

(b) I propose to revoke that \*parole order/\*licence at the end of 14 days after the date of this notice unless:

- (i) you give me reasons, in writing, why the \*parole order/\*licence should not be revoked; and
- (ii) I accept those reasons.

This notice has been issued because

- \* <sup>1</sup> failed to comply with \*a condition/\*conditions of the \*parole order/\*licence during the \*parole period/\*licence period.
- \* there are reasonable grounds for suspecting that <sup>1</sup> has failed to comply with \*a condition/\*conditions of the \*parole order/\*licence during the \*parole period/\*licence period.

Dated <sup>4</sup>,  
<sup>5</sup>

Attorney-General

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<sup>1</sup> insert full name of person  
<sup>2</sup> insert full name of Attorney-General  
<sup>3</sup> list details of each condition which has allegedly been breached  
<sup>4</sup> insert date  
<sup>5</sup> signature of Attorney-General  
\* omit if inapplicable

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## SCHEDULE 3—continued

## FORM 4

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

## WARRANT FOR ARREST UNDER SUBSECTION 19AV (2)

TO: \*all members and special members of the Australian Federal Police:/\* all members of the police force of <sup>1</sup>:

I, <sup>2</sup>, <sup>3</sup>, a prescribed authority within the meaning of the *Crimes Act 1914*, under subsection 19AV (2) of that Act, authorise and request you to arrest <sup>4</sup> and bring \*him/\*her, as soon as practicable, before a magistrate in the \*State/\*Territory in which \*he/\*she is arrested to be dealt with according to law.

This warrant is issued because:

- (a) the \*Attorney-General/\*Director of Public Prosecutions has applied under subsection 19AV (2) of the *Crimes Act 1914* for the issue of this warrant; and
- (b) I am satisfied that the \*parole order/\*licence relating to <sup>4</sup> has been revoked under subsection 19AU (2) of that Act.

Dated <sup>5</sup>,

<sup>6</sup>

<sup>3</sup>

- 
- <sup>1</sup> insert State or Territory
  - <sup>2</sup> insert full name of prescribed authority
  - <sup>3</sup> designation of prescribed authority
  - <sup>4</sup> insert full name of person to whom warrant relates
  - <sup>5</sup> insert date
  - <sup>6</sup> signature of prescribed authority
  - \* omit if inapplicable
-

SCHEDULE 3—continued

FORM 5

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

WARRANT UNDER SUBSECTION 19AW (1) AUTHORISING THE DETENTION OF A PERSON

TO: \*all members and special members of the Australian Federal Police;\*/ all members of the police force of 1;

AND to the officer in charge of 2 in 1;

I, 3, 4, a prescribed authority under Part 1B of the Crimes Act 1914:

(a) under paragraph 19AW (1)(d) of that Act authorise those members in 1 to take 5 to 2 in 1 and deliver \*him/\*her to the officer in charge of that prison, together with this warrant; and

(b) under paragraph 19AW (1)(e) of that Act authorise the officer in charge of 2 in 1 to receive 5 into your custody and imprison \*him/\*her for the \*term/\*terms of the \*sentence/\*sentences of imprisonment specified in the Schedule \*/\*; and

\*(c) under paragraph 19AW (1)(f) of that Act fix the non-parole period in respect of the \*sentence/\*sentences at 6.

This warrant is issued because:

(a) the Attorney-General acting under subsection 19AU (2) of the Crimes Act 1914 has revoked the \*parole order/\*licence relating to 5; and

(b) I am satisfied that:

(i) 5 is the person named in that revocation order; and

(ii) 5 was notified by the Attorney-General of the proposal to make the revocation order; and

(iii) the revocation order is still in force.

SCHEDULE

DETAILS OF \*SENTENCE/\*SENTENCES TO BE SERVED

Dated 8.

9

4

1 insert State or Territory

2 insert name of prison

3 insert full name of prescribed authority

4 insert designation of prescribed authority

5 insert full name of person

6 insert length of non-parole period

7 insert details of each sentence

8 insert date

9 signature of prescribed authority

\* omit if inapplicable

## SCHEDULE 3—continued

## FORM 6

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

WARRANT UNDER SUBSECTION 19AW (2) AUTHORISING  
THE REMAND OF A PERSON

TO: \*all members and special members of the Australian Federal Police:/\*all members of the police force of <sup>1</sup>:

AND to the officer in charge of <sup>2</sup> in <sup>1</sup>:  
I, <sup>3</sup>, <sup>4</sup>, a prescribed authority under Part 1B of the *Crimes Act 1914*:

- (a) under subsection 19AW (2) of that Act authorise those members in <sup>1</sup> to take <sup>5</sup> to <sup>2</sup> in <sup>1</sup> and deliver \*him/\*her to the officer in charge of that prison, together with this warrant; and
- (b) authorise the officer in charge of <sup>2</sup> in <sup>1</sup> to receive <sup>5</sup> into your custody and keep \*him/\*her until <sup>6</sup> when you are to have <sup>7</sup> brought before this Court at <sup>7</sup>.

This warrant is issued because:

- (a) a hearing under subsection 19AW (1) of the *Crimes Act 1914* is not completed; and  
(b) I am satisfied that it is necessary to remand <sup>5</sup> in custody.

Dated <sup>8</sup>

<sup>9</sup>

<sup>4</sup>

- 
- <sup>1</sup> insert State or Territory  
<sup>2</sup> insert name of prison  
<sup>3</sup> insert full name of prescribed authority  
<sup>4</sup> insert designation of prescribed authority  
<sup>5</sup> insert full name of person  
<sup>6</sup> insert time and date  
<sup>7</sup> insert address of court  
<sup>8</sup> insert date  
<sup>9</sup> signature of prescribed authority  
\* omit if inapplicable
-

SCHEDULE 3—continued

FORM 7

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

ORDER UNDER PARAGRAPH 19AX (1)(b) FOR THE  
DETENTION OF A PERSON

TO: \*all members and special members of the Australian Federal Police/\*all members of  
the police force of <sup>1</sup>;  
AND to the officer in charge of <sup>2</sup> in <sup>1</sup>;  
I, <sup>3</sup>, <sup>4</sup>, a prescribed authority under Part 1B of the *Crimes  
Act 1914*:

- (a) under paragraph 19AX (1)(b) of that Act authorise those members in  
<sup>1</sup> to take <sup>5</sup> to <sup>2</sup> in  
<sup>1</sup> and deliver \*him/\*her to the officer in charge of that prison,  
together with this warrant; and
- (b) authorise the officer in charge of <sup>2</sup> in <sup>1</sup> to receive  
<sup>5</sup> into your custody and detain \*him/\*her until:
  - (i) the Attorney-General orders that the revocation order under subsection 19AV (2)  
of that Act be rescinded; or
  - (ii) until the completion of proceedings under subsection 19AW (1) of that Act.

This warrant is issued because:

- (a) the Attorney-General acting under subsection 19AU (2) of the *Crimes Act 1914* has  
revoked the \*parole order/\*licence relating to <sup>5</sup>; and
- (b) I am satisfied that <sup>5</sup> is the person named in that revocation order;  
and
- (c) I am not satisfied that <sup>5</sup> was notified by the Attorney-General of  
the proposal to make the revocation order.

Dated <sup>6</sup>.

<sup>7</sup>

4

- 
- <sup>1</sup> insert State or Territory
  - <sup>2</sup> insert name of prison
  - <sup>3</sup> insert full name of prescribed authority
  - <sup>4</sup> insert designation of prescribed authority
  - <sup>5</sup> insert full name of person
  - <sup>6</sup> insert date
  - <sup>7</sup> signature of prescribed authority
  - \* omit if inapplicable
-

## SCHEDULE 3—continued

## FORM 8

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

## NOTIFICATION OF BREACH UNDER SUBSECTION 19AX (2)

TO: <sup>1</sup>, a person subject to a revocation order under subsection 19AU (2) of the *Crimes Act 1914*:

I, <sup>2</sup>, Attorney-General of the Commonwealth of Australia, under subsection 19AX (2) of the *Crimes Act 1914* notify you that:

\*(a) you have not complied with the following \*condition/\*conditions of your \*parole order/\*licence:

- (i) <sup>3</sup>; and
- (ii) <sup>3</sup>; and

\*(a) I have reasonable grounds to suspect that you have not complied with the following \*condition/\*conditions of your \*parole order/\*licence:

- (i) <sup>3</sup>; and
- (ii) <sup>3</sup>; and

(b) I propose to revoke that \*parole order/\*licence at the end of 14 days after the date of this notice unless:

- (i) you give me reasons, in writing, why the \*parole order/\*licence should not be revoked; and
- (ii) I accept those reasons.

This notice has been issued because:

- (a) I have been notified by <sup>4</sup>, a prescribed authority under Part 1B of the *Crimes Act 1914* that <sup>1</sup> has been brought before \*him/\*her; and
- (b) <sup>4</sup> is not satisfied that <sup>1</sup> was notified by me that I proposed to make the revocation order under subsection 19AU (2) of that Act.

Dated <sup>5</sup>,  
<sup>6</sup>

Attorney-General

- 
- <sup>1</sup> insert full name of person
  - <sup>2</sup> insert full name of Attorney-General
  - <sup>3</sup> list details of each condition which has allegedly been breached
  - <sup>4</sup> insert full name and designation of prescribed authority
  - <sup>5</sup> insert date
  - <sup>6</sup> signature of Attorney-General
  - \* omit if inapplicable
-

**SCHEDULE 3—continued**  
**FORM 9**

**COMMONWEALTH OF AUSTRALIA**  
*Crimes Act 1914*

**SUMMONS UNDER SUBSECTION 19AZ (2)**

TO:

You are summoned under subsection 19AZ (2) of the *Crimes Act 1914* to appear before the  
at at and to  
attend from day to day, unless you are excused or released from attendance, to give evidence  
\*and/\*to produce the following \*documents/\*and/\*articles:

- 1,
- 2,
- 5,

Dated

7  
8

- 
- <sup>1</sup> insert name and address of witness
  - <sup>2</sup> insert name of court
  - <sup>3</sup> insert address of court
  - <sup>4</sup> insert time and date
  - <sup>5</sup> insert details of documents or articles
  - <sup>6</sup> insert date
  - <sup>7</sup> signature of prescribed authority
  - <sup>8</sup> designation of prescribed authority
  - \* omit if inapplicable
- 

**NOTE:** If you are served with a summons under subsection 19AZ (2) of the *Crimes Act 1914* and have been paid or offered a reasonable sum for your expenses and then fail to attend as required by the summons, you are guilty of an offence and are liable, on conviction, to a fine not exceeding \$1,000.



## SCHEDULE 3—continued

FORM 10

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

## ORDER AND RECOGNISANCE UNDER SUBSECTION 19B (1)

IN THE 1  
 AT 2  
 IN THE \*STATE OF 3  
 BETWEEN:

(\*Informant/\*Appellant)  
 -and-  
 (\*Defendant/\*Respondant)

## ORDER

THE COURT DISCHARGES the \*defendant/\*appellant under section 19B of the *Crimes Act 1914* without proceeding to conviction upon the \*defendant/\*appellant giving security \*with \*surety/\*sureties of \$ <sup>4</sup> by recognisance of \$ <sup>5</sup> to comply with the following conditions:

- (a) that the \*defendant/\*appellant is to be of good behaviour for <sup>6</sup> \*months/  
\*years; and
- (b) that the \*defendant/\*appellant is to \*make reparation/\*make restitution/\*pay  
compensation of \$ <sup>7</sup> to <sup>8</sup> \*by <sup>9</sup>/\*by  
instalments of \$ <sup>10</sup>; and
- (c) that the \*defendant/\*appellant is to pay costs of this prosecution for the \*offence/  
\*offences specified below of \$ <sup>7</sup> to <sup>8</sup> \*by <sup>9</sup>/\*by  
\*by instalments of \$ <sup>10</sup>; and
- (d) that the \*defendant/\*appellant is to comply with the following further conditions:
  - (i) <sup>11</sup>;
  - (ii) <sup>11</sup>.

This Order has been issued because

\* the appellant, <sup>12</sup> of <sup>13</sup> appealed to this court against the  
\*sentence/\*conviction and sentence imposed by the <sup>2</sup> Magistrates' Court  
on <sup>14</sup> in respect of the following federal \*offence/\*offences:

- (i) <sup>15</sup>; and
- (ii) <sup>15</sup>; and

\* the defendant, <sup>12</sup>, was charged with the following federal \*offence/\*offences:

- (i) <sup>15</sup>; and
- (ii) <sup>15</sup>; and

the court is satisfied that the \*charge is/\*charges are proved, but is of the opinion, having regard to:

- (a) the character, antecedents, age, health or mental condition of the person; or
- (b) the extent to which the \*offence is/\*offences are of a trivial nature; or
- (c) the extent to which the \*offence was/\*offences were committed under extenuating circumstances;

that

\* it is inexpedient to inflict \*any punishment/\*any punishment other than a nominal punishment.

\* it is expedient to release the \*defendant/\*appellant on probation.

Dated <sup>14</sup>,

<sup>16</sup>

\*Judge of <sup>1</sup>/\*Magistrate/\*Registrar of <sup>1</sup>/\*Clerk of  
<sup>1</sup>/\*Justice of the Peace

## RECOGNISANCE

I, <sup>12</sup>, the \*defendant/\*appellant:

**SCHEDULE 3—continued**

- (a) have had explained to me:
- (i) the purpose and effect of this Order; and
  - (ii) the consequences that may follow if I fail, without reasonable excuse, to comply with the conditions of this Order; and
  - (iii) that this Order may be discharged or varied under section 20AA of the *Crimes Act 1914*; and
- (b) agree that I am bound in accordance with this Order; and
- (c) agree that I have been given a copy of this Order.

Dated 14,  
17

Before me:

18

\*Registrar of

1/\*Clerk of

1/\*Justice of the Peace

**UNDERTAKING BY \*SURETY/\*SURETIES**

I undertake to pay to the Commonwealth of Australia the amount specified in this Order if the \*defendant/\*appellant fails to comply with a condition of this Order.

I agree that I have been given a copy of this Order.

First Surety:	19
Name:	20
Address:	21
Second Surety:	22
Name:	23
Address:	24

- 
- <sup>1</sup> insert name of court
  - <sup>2</sup> insert location of court
  - <sup>3</sup> insert State or Territory
  - <sup>4</sup> insert amount of surety or sureties
  - <sup>5</sup> insert amount of recognisance
  - <sup>6</sup> insert period
  - <sup>7</sup> insert amount
  - <sup>8</sup> insert to whom amount is to be paid
  - <sup>9</sup> insert date by which amount must be paid
  - <sup>10</sup> insert details of instalments
  - <sup>11</sup> insert details of further conditions
  - <sup>12</sup> insert name of defendant or appellant
  - <sup>13</sup> insert address of appellant
  - <sup>14</sup> insert date
  - <sup>15</sup> insert details of offences
  - <sup>16</sup> signature of judge, magistrate, registrar, clerk or justice of the peace
  - <sup>17</sup> insert signature of defendant or appellant
  - <sup>18</sup> signature of registrar, clerk or justice of the peace
  - <sup>19</sup> signature of first surety
  - <sup>20</sup> insert full name of first surety
  - <sup>21</sup> insert address of first surety
  - <sup>22</sup> signature of second surety
  - <sup>23</sup> insert full name of second surety
  - <sup>24</sup> insert address of second surety
- \* omit if inapplicable
-

## SCHEDULE 3—continued

## FORM 11

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

## ORDER AND RECOGNISANCE UNDER PARAGRAPH 20 (1) (a)

IN THE \_\_\_\_\_ 1  
 AT \_\_\_\_\_ 2  
 IN THE \*STATE OF \_\_\_\_\_ 3  
 BETWEEN:

(\*Informant/\*Appellant)  
 -and-  
 (\*Defendant/\*Respondant)

## ORDER

THE COURT ORDERS the release of the \*defendant/\*appellant under paragraph 20 (1) (a) of the *Crimes Act 1914* without passing sentence on the \*defendant/\*appellant upon the \*defendant/\*appellant giving security \*with \*surety/\*sureties of \$ \_\_\_\_\_<sup>4</sup> by recognisance of \$ \_\_\_\_\_<sup>5</sup> to comply with the following conditions:

- (a) that the \*defendant/\*appellant is to be of good behaviour for \_\_\_\_\_<sup>6</sup> months/  
 \*years; and
- (b) that the \*defendant/\*appellant is to \*make reparation/\*make restitution/\*pay  
 compensation of \$ \_\_\_\_\_<sup>7</sup> to \_\_\_\_\_<sup>8</sup> \*by \_\_\_\_\_<sup>9</sup>/\*by instalments of  
 \$ \_\_\_\_\_<sup>10</sup>; and
- (c) that the \*defendant/\*appellant is to pay costs of this prosecution for the \*offence/  
 \*offences specified below of \$ \_\_\_\_\_<sup>7</sup> to \_\_\_\_\_<sup>8</sup> \*by instalments of \$ \_\_\_\_\_<sup>10</sup>;  
 and
- (d) that the \*defendant/\*appellant is to pay to the Commonwealth a pecuniary penalty  
 of \$ \_\_\_\_\_<sup>7</sup> to \_\_\_\_\_<sup>11</sup> \*by \_\_\_\_\_<sup>9</sup>/\*by instalments of \$ \_\_\_\_\_<sup>10</sup>; and
- (e) that the \*defendant/\*appellant is to comply with the following further conditions:
  - (i) \_\_\_\_\_<sup>12</sup>;
  - (ii) \_\_\_\_\_<sup>12</sup>.

This Order has been issued because:

- \* (a) the appellant, \_\_\_\_\_<sup>13</sup> of \_\_\_\_\_<sup>14</sup> appealed to this court against  
 the \*sentence/\*conviction and sentence imposed by the \_\_\_\_\_<sup>1</sup>  
 Magistrates' Court on \_\_\_\_\_<sup>15</sup> in respect of the following federal \*offence/  
 \*offences:
  - (i) \_\_\_\_\_<sup>16</sup>; and
  - (ii) \_\_\_\_\_<sup>16</sup>; and
- \* (a) the defendant, \_\_\_\_\_<sup>13</sup>, was charged with the following federal \*offence/  
 \*offences:
  - (i) \_\_\_\_\_<sup>16</sup>; and
  - (ii) \_\_\_\_\_<sup>16</sup>; and
- (b) the court has convicted the \*defendant/\*appellant of the \*offence/\*offences; and
- (c) the court has decided to release the \*defendant/\*appellant without passing sentence  
 on the \*defendant/\*appellant complies with the conditions of this Order.

Dated \_\_\_\_\_<sup>15</sup>,

\_\_\_\_\_<sup>17</sup>  
 \*Judge of \_\_\_\_\_<sup>1</sup>/\*Magistrate/\*Registrar of \_\_\_\_\_<sup>1</sup>/\*clerk of  
 \_\_\_\_\_<sup>1</sup>/\*Justice of the Peace

## RECOGNISANCE

- I, \_\_\_\_\_<sup>13</sup>, the \*defendant/\*appellant:
- (a) have had explained to me:
    - (i) the purpose and effect of this Order; and

**SCHEDULE 3—continued**

(ii) the consequences that may follow if I fail, without reasonable excuse, to comply with the conditions of this Order; and

(iii) that this Order may be discharged or varied under section 20AA of the *Crimes Act 1914*; and

(b) agree that I am bound in accordance with this Order; and

(c) agree that I have been given a copy of this Order.

Dated 15.

18

Before me:

19

\*Registrar of

<sup>1</sup>/\*Clerk of

<sup>1</sup>/\*Justice of the Peace

**UNDERTAKING BY \*SURETY/\*SURETIES**

I undertake to pay to the Commonwealth of Australia the amount specified in this Order if the \*defendant/\*appellant fails to comply with a condition of this Order. I agree that I have been given a copy of this Order.

First Surety:	20
Name:	21
Address:	22
Second Surety:	23
Name:	24
Address:	25

- 
- <sup>1</sup> insert name of court
  - <sup>2</sup> insert location of court
  - <sup>3</sup> insert State or Territory
  - <sup>4</sup> insert amount of surety of sureties
  - <sup>5</sup> insert amount of recognisance
  - <sup>6</sup> insert period
  - <sup>7</sup> insert amount
  - <sup>8</sup> insert to whom amount is to be paid
  - <sup>9</sup> insert date by which amount must be paid
  - <sup>10</sup> insert details of instalments
  - <sup>11</sup> insert to whom penalty is to be paid
  - <sup>12</sup> insert details of further conditions
  - <sup>13</sup> insert name of defendant or appellant
  - <sup>14</sup> insert address of appellant
  - <sup>15</sup> insert date
  - <sup>16</sup> insert details of offences
  - <sup>17</sup> signature of judge, magistrate, registrar, clerk or justice of the peace
  - <sup>18</sup> insert signature of defendant or appellant
  - <sup>19</sup> signature of registrar, clerk or justice of the peace
  - <sup>20</sup> signature of first surety
  - <sup>21</sup> insert full name of first surety
  - <sup>22</sup> insert address of first surety
  - <sup>23</sup> signature of second surety
  - <sup>24</sup> insert full name of second surety
  - <sup>25</sup> insert address of second security
- \* omit if inapplicable
-

## SCHEDULE 3—continued

## FORM 12

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

## ORDER AND RECOGNISANCE UNDER PARAGRAPH 20(1) (b)

IN THE <sup>1</sup>  
 AT <sup>2</sup>  
 IN THE \*STATE OF <sup>3</sup>  
 BETWEEN:

(\*Informant/\*Appellant)

—and—

(\*Defendant/\*Respondant)

## ORDER

THE COURT ORDERS the release of the \*defendant/\*appellant under paragraph 20 (1) (b) of the *Crimes Act 1914* \*after serving <sup>4</sup> \*month/\*months of the term of imprisonment/\*forthwith upon the \*defendant/\*appellant giving security \*with \*surety/\*sureties of \$ <sup>5</sup> by recognisance of \$ <sup>6</sup> to comply with the following conditions:

- (a) that the \*defendant/\*appellant is to be of good behaviour for <sup>7</sup> \*months/\*years; and
- (b) that the \*defendant/\*appellant is to \*make reparation/\*make restitution/\*pay compensation of \$ <sup>8</sup> to <sup>9</sup> \*by <sup>10</sup>/\*by instalments of \$ <sup>11</sup>; and
- (c) that the \*defendant/\*appellant is to pay costs of this prosecution for the \*offence/\*offences specified below of \$ <sup>8</sup> to <sup>9</sup> by <sup>10</sup>/\*by instalments of \$ <sup>11</sup>; and
- (d) that the \*defendant/\*appellant is to pay to the Commonwealth a pecuniary penalty of \$ <sup>8</sup> to <sup>12</sup> \*by <sup>10</sup>/\*by instalments of \$ <sup>11</sup>; and
- (e) that the \*defendant/\*appellant is to comply with the following further conditions:
- (i) <sup>13</sup>;
- (ii) <sup>13</sup>.

This Order has been issued because:

- \* (a) the appellant, <sup>14</sup> of <sup>15</sup> appealed to this court against the \*sentence/\*conviction and sentence imposed by the <sup>1</sup> Magistrates' Court on <sup>16</sup> in respect of the following federal \*offence/\*offences:
- (i) <sup>17</sup>; and
- (ii) <sup>17</sup>; and
- \* (a) the defendant, <sup>14</sup>, was charged with the following federal \*offence/\*offences:
- (i) <sup>17</sup>; and
- (ii) <sup>17</sup>; and
- (b) the Court has sentenced the \*defendant/\*appellant to a term of imprisonment; and
- (c) the Court has decided that the \*defendant/\*appellant be released \*after serving \*month/\*months of the sentence/\*forthwith if the \*defendant/\*appellant complies with the conditions of this Order.

Dated <sup>18</sup> <sup>16</sup>,

<sup>18</sup>

\*Judge of <sup>1</sup>/\*Magistrate/\*Registrar of <sup>1</sup>/\*Clerk of  
<sup>1</sup>/\*Justice of the Peace

<sup>1</sup>/\*Clerk of

## RECOGNISANCE

I, <sup>14</sup>, the \*defendant/\*appellant:

- (a) have had explained to me:
- (i) the purpose and effect of this Order; and



**SCHEDULE 3—continued****FORM 13****COMMONWEALTH OF AUSTRALIA***Crimes Act 1914***WARRANT FOR ARREST UNDER SUBSECTION 20BF (3)**

TO: \*all members and special members of the Australian Federal Police:/\* all members of the police force of <sup>1</sup>:

I, <sup>2</sup>, <sup>3</sup>, a prescribed authority within the meaning of the *Crimes Act 1914*, under subsection 20BF (3) of that Act, authorise and request you to arrest <sup>4</sup> and bring \*him/\*her, as soon as practicable, before a magistrate in the \*State/\*Territory in which \*he/\*she is arrested to be dealt with according to law.

This warrant is issued because:

(a) the Attorney-General, under section 20BE of the *Crimes Act 1914*, ordered that <sup>4</sup> be released from detention; and

(b) the Attorney-General, under subsection 20BF (1), has revoked that release order.

Dated <sup>5</sup>,

<sup>6</sup>

<sup>3</sup>

---

<sup>1</sup> insert State or Territory

<sup>2</sup> insert full name of prescribed authority

<sup>3</sup> insert designation of prescribed authority

<sup>4</sup> insert full name of person to whom warrant relates

<sup>5</sup> insert date

<sup>6</sup> signature of prescribed authority

\* omit if inappropriate

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SCHEDULE 3—continued

FORM 14

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

WARRANT UNDER SUBSECTION 20BF (5) AUTHORISING THE DETENTION OF A PERSON

TO: \*all members and special members of the Australian Federal Police:/\* all members of the police force of <sup>1</sup>:

AND to the officer in charge of <sup>2</sup> in <sup>1</sup>:

I, <sup>3</sup>, <sup>4</sup>, a prescribed authority under Part 1B of the *Crimes Act 1914*:

(a) under paragraph 20BF (5) (c) of that Act authorise those members in <sup>1</sup> to take <sup>5</sup> to <sup>2</sup> in <sup>1</sup> and deliver \*him/\*her to the officer in charge of that \*prison/\*hospital, together with this warrant; and

(b) under paragraph 20BF (5) (d) of that Act direct the officer in charge of <sup>2</sup> in <sup>1</sup> to receive <sup>5</sup> into your custody and detain \*him/\*her for the period of <sup>6</sup>.

This warrant is issued because:

(a) the Attorney-General, under subsection 20BF (1) of the *Crimes Act 1914*, has revoked the release order relating to <sup>5</sup>; and

(b) I am satisfied that:

(i) <sup>3</sup> is the person named in the instrument revoking the release order; and

(ii) the release order has been revoked and the revocation is still in force.

Dated <sup>7</sup>.

<sup>8</sup>  
<sup>4</sup>

- 
- <sup>1</sup> insert State or Territory
  - <sup>2</sup> insert name of prison or hospital
  - <sup>3</sup> insert full name of prescribed authority
  - <sup>4</sup> insert designation of prescribed authority
  - <sup>5</sup> insert full name of person
  - <sup>6</sup> insert period
  - <sup>7</sup> insert date
  - <sup>8</sup> signature of prescribed authority
  - \* omit if inapplicable
-



## SCHEDULE 3—continued

## FORM 15

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

WARRANT UNDER SUBSECTION 20BF (6) AUTHORISING  
THE REMAND OF A PERSON

TO: \*all members and special members of the Australian Federal Police:/\*all members of  
the police force of <sup>1</sup>:

AND to the officer in charge of <sup>2</sup> in <sup>1</sup>:

I, <sup>3</sup>, <sup>4</sup>, a prescribed authority under Part 1B of the *Crimes  
Act 1914*.

(a) under subsection 20BF (6) of that Act authorise those members in <sup>1</sup>  
to take <sup>5</sup> to <sup>2</sup>  
in <sup>1</sup> and deliver \*him/\*her to the officer in charge of that \*prison/  
\*hospital, together with this warrant; and

(b) authorise the officer in charge of <sup>2</sup> in <sup>1</sup> to receive  
<sup>5</sup> into your custody and keep \*him/\*her until  
<sup>6</sup> when you are to have <sup>5</sup> brought before this court  
at <sup>7</sup>.

This warrant is issued on the basis that:

(a) <sup>5</sup> has been brought before me under subsection 20BF (4) of the  
*Crimes Act 1914*; and

(b) I have not completed the hearing under subsection 20BF (5) of that Act.

Dated <sup>8</sup>.

<sup>9</sup>

4

---

<sup>1</sup> insert State or Territory

<sup>2</sup> insert name of prison or hospital

<sup>3</sup> insert full name of prescribed authority

<sup>4</sup> insert designation of prescribed authority

<sup>5</sup> insert full name of person

<sup>6</sup> insert time and date

<sup>7</sup> insert date

<sup>8</sup> signature of prescribed authority

\* omit if inapplicable

---

SCHEDULE 3—continued

FORM 16

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

WARRANT FOR ARREST UNDER SUBSECTION 20BM (3)

TO: \*all members and special members of the Australian Federal Police:/\*all members of the police force of <sup>1</sup>:

I, <sup>2</sup>, <sup>3</sup>, a prescribed authority within the meaning of Part 1B of the *Crimes Act 1914*, under subsection \*20BM (3)/\*20BT (3) of that Act, authorise and request you to arrest <sup>4</sup> and bring \*him/\*her, as soon as practicable, before a magistrate in the \*State/\*Territory in which \*he/\*she is arrested to be dealt with according to law.

This warrant is issued because:

- (a) the Attorney-General, under section \*20BL/\*20BT of the *Crimes Act 1914*, ordered that <sup>4</sup> be released from detention; and
- (b) the release order relating to <sup>4</sup> has been revoked.

Dated <sup>5</sup>,

<sup>6</sup>

<sup>3</sup>

- 
- <sup>1</sup> insert State or Territory
  - <sup>2</sup> insert full name of prescribed authority
  - <sup>3</sup> insert designation of prescribed authority
  - <sup>4</sup> insert full name of person
  - <sup>5</sup> insert date
  - <sup>6</sup> signature of prescribed authority
  - \* omit if inapplicable
-

## SCHEDULE 3—continued

## FORM 17

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

WARRANT UNDER SUBSECTION 20BM (5) AUTHORISING  
THE DETENTION OF A PERSON

TO: \*all members and special members of the Australian Federal Police/\* all members of the police force of <sup>1</sup>:

AND to the officer in charge of <sup>2</sup> in <sup>1</sup>;  
I, <sup>3</sup>, <sup>4</sup>, a prescribed authority under Part 1B of the *Crimes Act 1914*:

(a) under paragraph 20BM (5) (c) of that Act authorise those members in <sup>1</sup> to take <sup>5</sup> to <sup>2</sup> in <sup>1</sup> and deliver \*him/\*her to the officer in charge of that \*prison/\*hospital, together with this warrant; and

(b) under paragraph 20BM (5) (d) of that Act direct the officer in charge of <sup>2</sup> in <sup>1</sup> to receive <sup>5</sup> into your custody and detain \*him/\*her for the period of <sup>6</sup>.

This warrant is issued because:

(a) the Attorney-General under subsection 20BM (1) of the *Crimes Act 1914* has revoked the release order relating to <sup>5</sup>; and

(b) I am satisfied that:

(i) <sup>5</sup> is the person named in the instrument revoking the release order; and

(ii) the release order has been revoked and the revocation is still in force.

Dated <sup>7</sup>,

<sup>8</sup>

<sup>4</sup>

---

<sup>1</sup> insert State or Territory

<sup>2</sup> insert name of prison or hospital

<sup>3</sup> insert full name of prescribed authority

<sup>4</sup> insert designation of prescribed authority

<sup>5</sup> insert full name of person

<sup>6</sup> insert period

<sup>7</sup> insert date

<sup>8</sup> signature of prescribed authority

\* omit if inapplicable

---

SCHEDULE 3—continued

FORM 18

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

WARRANT UNDER SUBSECTION 20BM (6) AUTHORISING THE REMAND OF A PERSON

TO: \*all members and special members of the Australian Federal Police:/\*all members of the police force of <sup>1</sup>;

AND to the officer in charge of <sup>2</sup> in <sup>1</sup>;

I, <sup>3</sup>, <sup>4</sup>, a prescribed authority under Part 1B of the Crimes Act 1914:

(a) under subsection 20BM (6) of that Act authorise those members in <sup>1</sup> to take <sup>5</sup> to <sup>2</sup> in <sup>1</sup> and deliver \*him/\*her to the officer in charge of that \*prison/\*hospital, together with this warrant; and

(b) authorise the officer in charge of <sup>2</sup> in <sup>1</sup> to receive <sup>5</sup> into your custody and keep \*him/\*her until <sup>6</sup> when you are to have <sup>7</sup> brought before this court at <sup>7</sup>.

This warrant is issued on the basis that:

(a) <sup>5</sup> has been brought before me under subsection 20BM (4) of the Crimes Act 1914; and

(b) I have not completed the hearing under subsection 20BM (5) of that Act.

Dated <sup>8</sup>.

<sup>9</sup>

<sup>4</sup>

<sup>1</sup> insert State or Territory

<sup>2</sup> insert name of prison or hospital

<sup>3</sup> insert full name of prescribed authority

<sup>4</sup> insert designation of prescribed authority

<sup>5</sup> insert full name of person

<sup>6</sup> insert time and date

<sup>7</sup> insert address of court

<sup>8</sup> insert date

<sup>9</sup> signature of prescribed authority

\* omit if inapplicable

## SCHEDULE 3—continued

## FORM 19

## COMMONWEALTH OF AUSTRALIA

*Crimes Act 1914*

## SUMMONS UNDER \*PARAGRAPH 20BW (1) (a)/\*SECTION 20BY

IN THE <sup>1</sup>  
 AT <sup>2</sup>  
 IN THE \*STATE OF <sup>3</sup>  
 (Informant)  
 —and—  
 (Defendant)

To: <sup>4</sup>

You are summoned under \*paragraph 20BW (1) (a)/\*section 20BY of the *Crimes Act 1914* to appear before the <sup>5</sup> at <sup>6</sup> at <sup>7</sup> to answer the information alleging the breach of the following \*condition/\*conditions of the order under section \*20BV/\*20BY of that Act:

- (a) <sup>8</sup>; and  
 (b) <sup>8</sup>;

and to be further dealt with according to law.

Dated <sup>9</sup>.<sup>10</sup><sup>11</sup>

- 
- <sup>1</sup> insert name of court  
<sup>2</sup> insert location of court  
<sup>3</sup> insert State or Territory  
<sup>4</sup> insert name of person  
<sup>5</sup> insert name of court  
<sup>6</sup> insert address of court  
<sup>7</sup> insert time and date  
<sup>8</sup> list details of alleged breaches of conditions  
<sup>9</sup> insert date  
<sup>10</sup> signature of magistrate  
<sup>11</sup> designation of magistrate  
 \* omit if inapplicable
-

SCHEDULE 3—continued

FORM 20

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

WARRANT FOR ARREST UNDER \*PARAGRAPH 20BW (1) (b)/\*SECTION 20BY

TO: \*all members and special members of the Australian Federal Police:/\*all members of the police force of <sup>1</sup>:

I, <sup>2</sup>, <sup>3</sup>:

- (a) under \*paragraph 20BW (1) (b)/\*section 20BY of the *Crimes Act 1914*, authorise and request you to arrest <sup>4</sup> and bring \*him/\*her, as soon as practicable, before this court; and
- (b) authorise you to detain <sup>4</sup> in custody until dealt with according to law.

This warrant is issued because:

- (a) an order under section \*20BV/\*20BY of the *Crimes Act 1914* has been made in relation to <sup>4</sup>; and
- (b) information has been laid on oath before me of the following \*breach/\*breaches of the conditions of the order:
  - (i) <sup>5</sup>; and
  - (ii) <sup>5</sup>; and
- (c) I am of the opinion that proceedings against <sup>4</sup> by summons might not be effective.

Dated <sup>6</sup>.

<sup>7</sup>

<sup>4</sup>

---

<sup>1</sup> insert State or Territory  
<sup>2</sup> insert full name of magistrate  
<sup>3</sup> insert designation of magistrate  
<sup>4</sup> insert full name of person  
<sup>5</sup> list details of alleged breaches of conditions  
<sup>6</sup> insert date  
<sup>7</sup> signature of magistrate  
\* omit if inapplicable

---

## SCHEDULE 3—continued

## FORM 21

## COMMONWEALTH OF AUSTRALIA

## Crimes Act 1914

## WARRANT OF ARREST UNDER \*SUBSECTION 20BW (2)/\*SECTION 20BY

TO: \*all members and special members of the Australian Federal Police/\*all members of the police force of <sup>1</sup>;

I, <sup>2</sup>, <sup>3</sup>;

- (a) under \*subsection 20BW (2)/\*section 20BY of the *Crimes Act 1914*, authorise and request you to arrest <sup>4</sup> and to bring \*him/\*her, as soon as practicable, before this court; and
- (b) under \*subsection 20BW (3)/\*section 20BY of that Act, authorise you to detain <sup>4</sup> in custody until \*he/\*she is released by order of this court or under subsection 20BW (4) of that Act.

This warrant is issued because <sup>4</sup>

- \* is a person who has been served with a summons issued under \*subsection 20BW (1)/ \*section 20BY of the *Crimes Act 1914* and \*he/\*she failed to attend before the court as required by the summons.
- \* is a person who has been admitted to bail under \*subsection 20BW (4)/\*section 20BY of the *Crimes Act 1914* and \*he/\*she failed to attend before the court as required by the conditions of the bail.

Dated <sup>5</sup>,

<sup>6</sup>

<sup>3</sup>

---

<sup>1</sup> insert State or Territory

<sup>2</sup> insert full name of magistrate

<sup>3</sup> insert designation of magistrate

<sup>4</sup> insert full name of person

<sup>5</sup> insert date

<sup>6</sup> signature of magistrate

\* omit if inapplicable

---

SCHEDULE 3—continued  
FORM 22

COMMONWEALTH OF AUSTRALIA

Crimes Act 1914

CERTIFICATE UNDER SUBSECTION 21B (3)

IN THE  
AT  
IN THE \*STATE OF  
BETWEEN:

1

2

3

(Informant)

—and—

(Defendant)

I, <sup>4</sup> ordered that the defendant is to pay \$ <sup>5</sup>, hereby certify that on <sup>6</sup> the court <sup>9</sup>  
Dated <sup>10</sup> to <sup>7</sup> by <sup>8</sup>

11

5

- 
- <sup>1</sup> insert name of court
  - <sup>2</sup> insert location of court
  - <sup>3</sup> insert State or Territory
  - <sup>4</sup> insert full name of clerk or appropriate officer
  - <sup>5</sup> insert designation of officer
  - <sup>6</sup> insert date of order
  - <sup>7</sup> insert amount
  - <sup>8</sup> insert to whom amount is to be paid
  - <sup>9</sup> insert date by which amount is to be paid
  - <sup>10</sup> insert date
  - <sup>11</sup> signature of clerk or appropriate officer
  - \* omit if inapplicable
- 

NOTE: You have been convicted of a federal offence under the *Crimes Act 1914* or, under section 19B of that Act, you have been discharged without conviction and the court has ordered you to make reparation to the Commonwealth or a public authority under the Commonwealth by payment of an amount of money or otherwise. This payment is in addition to any fine or other penalty imposed by the court. The above certificate when filed in a court of civil jurisdiction is enforceable as a final judgement of the court in which it is filed.

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## SCHEDULE 4

Regulation 8

## SPENT CONVICTIONS—EXCLUSIONS FROM PRIVACY PROVISIONS

Column 1 Item no.	Column 2 Prescribed persons and bodies	Column 3 Prescribed purposes	Column 4 Prescribed offences
1	Commonwealth authorities	(1) Assessing the suitability of a person to be employed, or otherwise engaged, in work that is likely to involve access to national security information classified as secret or top secret  (2) Assessing the suitability of a person to have right to access to areas at airports designated under regulations made under the <i>Civil Aviation Act 1988</i> as security restricted areas  (3) Providing assistance to a person referred to in paragraph 85ZZH (d) of the Act in relation to the making of a decision referred to in that paragraph	All offences  Offences of violence and of threatened or actual damage to property  All offences
2	The Defence Force	Assessing the suitability of a person for appointment to a position involving the care, instruction or supervision of minors	Designated offences
3	A convening authority referred to in section 102 of the <i>Defence Force Discipline Act 1982</i> or a prosecutor referred to in rule 42 of the Defence Force Discipline Rules	Considering whether to prosecute and making submissions and decisions as to sentence	All offences
4	Australian Customs Service	(1) Assessing the suitability of a person to have responsibility for matters relating to law enforcement	All offences

## SCHEDULE 4—continued

Column 1 Item no.	Column 2 Prescribed persons and bodies	Column 3 Prescribed purposes	Column 4 Prescribed offences
		(2) Considering whether to prosecute and making submissions as to sentence	All offences
5	Governments of Queensland, South Australia, Tasmania and the Northern Territory	Assessing the suitability of a person for appointment as a justice of the peace	All offences
6	Prison administration in Victoria, Western Australia and the Northern Territory	Assessing the suitability of a person to have responsibility for the care or control of prisoners	Offences involving violence
7	A person who, or body which, employs or otherwise engages persons to provide care for the disabled in residential settings in Victoria	Assessing the suitability of a person to have responsibility for the care of the disabled in a residential setting	Offences involving violence
8	Commonwealth Government and Governments of Queensland, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory	Assessing the suitability of a person to be licensed as director, or appointed as the chief executive, of a casino	All offences
9	Government of Tasmania	Assessing the suitability of a person for appointment to the Poppy Advisory Board	Drug offences
10	Poppy Advisory Board, Tasmania	Assessing the suitability of a person to be the holder of a licence to grow opium poppies	Drug offences
11	Persons or bodies lawfully engaged in the growing of opium poppies or the production of opiate alkaloids	Assessing the suitability of a person to be employed, or otherwise engaged, in connection with the growing of opium poppies or the production of opiate alkaloids	Drug offences

**SCHEDULE 4—continued**

Column 1 Item no.	Column 2 Prescribed persons and bodies	Column 3 Prescribed purposes	Column 4 Prescribed offences
12	Public libraries, university libraries, public archives offences and the Australian War Memorial	Making available material for research, reference or study	All offences

**NOTE**

1. Notified in the *Commonwealth of Australia Gazette* on 12 July 1990.