

**Authorised Version No. 002**  
**Crimes (Mental Impairment and Unfitness to  
be Tried) Regulations 2009**

**S.R. No. 69/2009**

Authorised Version incorporating amendments as at  
15 February 2011

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**1 Objective**

The objective of these Regulations is to prescribe a class of persons for the purposes of section 30 of the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**.

**2 Authorising provision**

These Regulations are made under section 80 of the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**.

**3 Prescribed class of persons**

For the purposes of the definition of *appropriate person* in section 30(6) of the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**, the prescribed class is those persons who—

- (a) are employed by a public sector mental health service (within the meaning of section 120A of the **Mental Health Act 1986**) that is an approved mental health service or a community mental health service to provide care and treatment to persons with a mental disorder (within the meaning of section 3(1) of that Act); and

Reg. 3(b)(ii)  
substituted by  
S.R. No.  
4/2011 reg. 3.

(b) are—

- (i) registered medical practitioners; or
  - (ii) registered nurses, namely persons registered under the Health Practitioner Regulation National Law—
    - (A) to practise in the nursing and midwifery profession as a nurse (other than as a midwife or as a student); and
    - (B) in the registered nurses division for that profession; or
  - (iii) registered psychologists; or
  - (iv) social workers; or
  - (v) occupational therapists.
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## ENDNOTES

### 1. General Information

The Crimes (Mental Impairment and Unfitness to be Tried) Regulations 2009, S.R. No. 69/2009 were made on 23 June 2009 by the Governor in Council under section 80 of the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**, No. 65/1997 and came into operation on 23 June 2009.

The Crimes (Mental Impairment and Unfitness to be Tried) Regulations 2009 will sunset 10 years after the day of making on 23 June 2019 (see section 5 of the **Subordinate Legislation Act 1994**).

## 2. Table of Amendments

This Version incorporates amendments made to the Crimes (Mental Impairment and Unfitness to be Tried) Regulations 2009 by statutory rules, subordinate instruments and Acts.

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Crimes (Mental Impairment and Unfitness to be Tried) Amendment Regulations 2011, S.R. No. 4/2011

*Date of Making:* 15.2.11

*Date of Commencement:* 15.2.11

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**3. Explanatory Details**

No entries at date of publication.