

**44. Prosecutions, where they must be commenced**

- (1) A prosecution for an offence must be commenced in the registry nearest to the place where the offence was allegedly committed.
- (2) Despite subrule (1), if an offence is allegedly committed in a suburb listed in Schedule 1, a prosecution for the alleged offence must be commenced in the registry listed opposite that suburb in Schedule 1.
- (3) If it is not known where an alleged offence was committed, a prosecution for it must be commenced in the registry nearest to where the accused usually lives.
- (4) Despite subrule (3), if an accused usually lives in a suburb listed in Schedule 1, a prosecution for the alleged offence must be commenced in the registry listed opposite that suburb in Schedule 1.
- (5) A prosecution for an offence that is one of 2 or more offences the prosecutions of which are to be dealt with together may be commenced in the registry nearest to the place where any one of the prosecutions may be commenced in accordance with subrule (1), (2), (3) or (4).
- (6) Despite subrules (1) to (5), a prosecution for an alleged offence may be commenced in a registry that is not a registry where it is required by those subrules to be commenced if the registrar in charge of the registry is satisfied that there is good reason for the prosecution to be commenced in that registry.
- (7) If a prosecution for an offence is not commenced in a registry in accordance with subrules (1) to (6), the Court sitting at the place where the prosecution is commenced may, under the CPA section 135, order that prosecution be conducted at a registry where it should have been commenced.