

JU302

Civil Judgments Enforcement Act 2004
Criminal Procedure Act 2004

Attorney General Regulations Amendment (Electronic Processes) Regulations 2016

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Attorney General Regulations Amendment (Electronic Processes) Regulations 2016*.

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 — Civil Judgments Enforcement Regulations 2005 amended

3. Regulations amended

This Part amends the *Civil Judgments Enforcement Regulations 2005*.

4. Regulations 95A and 95B inserted

At the beginning of Part 7 insert:

95A. Terms used

In this Part —

arrest warrant means a warrant issued under section 29(4) or 89(4) of the Act;

courts electronic system means the electronic system for the management of proceedings in Western Australian courts.

95B. Warrants issued electronically

- (1) A court may issue an arrest warrant by means of the courts electronic system.

- (2) The arrest warrant must bear —
 - (a) the name, or facsimile signature, of the judge or magistrate issuing it; or
 - (b) a facsimile of the court’s seal.
- (3) The arrest warrant is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10.
- (4) The arrest warrant is given in electronic form for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 12.

5. Regulation 96 amended

In regulation 96(1) delete the definition of *arrest warrant*.

**Part 3 — Criminal Procedure
Regulations 2005 amended**

6. Regulations amended

This Part amends the *Criminal Procedure Regulations 2005*.

7. Regulation 3 amended

In regulation 3(1) in the definition of *approved user* paragraph (a) delete “regulation 5A” and insert:

regulation 4A

8. Regulations 5A and 5B replaced

Delete regulation 5A and 5B and insert:

4A. Authorisation of persons to lodge documents by means of courts electronic system

The CEO may, from time to time, by written notice, authorise a specified person, or a person in a specified class of persons, to use the courts electronic system to lodge with, or make available to, the court documents of a specified class.

4B. Means of completing prescribed forms electronically

Each form in Schedule 1 may be completed electronically by an approved user by entering the information required to complete the form into the courts electronic system.

9. Regulation 5A inserted

After regulation 5 insert:

5A. Arrest warrants issued electronically

- (1) A court may issue an arrest warrant by means of the courts electronic system.
- (2) The arrest warrant must bear —
 - (a) the name, or facsimile signature, of the judge or magistrate issuing it; or
 - (b) a facsimile of the court's seal.
- (3) The arrest warrant is authenticated for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 10.
- (4) The arrest warrant is given in electronic form for the purposes of the *Courts and Tribunals (Electronic Processes Facilitation) Act 2013* section 12.

R. KENNEDY, Clerk of the Executive Council.
