

Queensland



Crown Proceedings Act 1980

CROWN PROCEEDINGS REGULATION 1989

**Reprinted as in force on 5 July 1996
(includes amendments up to SL No. 61 of 1996)**

Reprint No. 1

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This regulation is reprinted as at 5 July 1996. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- use standard punctuation consistent with current drafting practice (s 27)
- use expressions consistent with current drafting practice (s 29)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (ss 37 and 40)
- omit the words of notification (s 42A).

Also see endnotes for information about when provisions commenced.

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**CROWN PROCEEDINGS REGULATION
1989**

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CROWN PROCEEDINGS REGULATION 1989

[as amended by all amendments that commenced on or before 5 July 1996]

Short title

1. This regulation may be cited as the *Crown Proceedings Regulation 1989*.

Warrant of commitment—Act, s 13(4)

4.(1) A warrant of commitment for nonpayment of moneys payable under a forfeited recognisance must contain the following information—

- (a) the date and place of issue of the warrant;
- (b) the name and address of the principal;
- (c) the amount of the recognisance;
- (d) the amount of any surety;
- (e) conditions affecting the recognisance;
- (f) a statement about why the recognisance was forfeited;
- (g) particulars of the forfeiture order made against the principal and by whom the order was made;
- (h) a statement the amount of the recognisance has not been paid;
- (i) the time the principal is to be detained in a prison or other place of legal detention.

(2) Also, the warrant must contain a command to all police officers to—

- (a) apprehend the principal without delay; and
- (b) convey the principal to a prison or other place of legal detention more accessible or convenient.

Warrant of execution—Act, ss 13(4) and 14(4)

5.(1) A warrant of execution for moneys payable under a forfeited recognisance or undertaking as to bail must contain the following information—

- (a) the date and place of issue of the warrant;
- (b) the full name and address of each surety;
- (c) the amount of the recognisance or undertaking as to bail;
- (d) the amount of any surety;
- (e) conditions affecting the recognisance or undertaking as to bail;
- (f) a statement about why the recognisance or undertaking was forfeited;
- (g) particulars of the forfeiture order made against the surety and by whom the order was made;
- (h) a statement the amount under the recognisance or undertaking has not been paid.

(2) Also, the warrant must contain a command to all police officers to—

- (a) take the personal property of the surety; and
- (b) if the amount stated in the order to be payable by the surety and the reasonable charges of executing the warrant are not paid—deal with the property under the *Justices Act 1886*, section 172; and
- (c) if sufficient personal property can not be found—certify this fact to the justice of the peace who issued the warrant.

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 5 July 1996. Future amendments of the Crown Proceedings Regulation 1989 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 List of legislation

Crown Proceedings Regulation 1989

pubd gaz 17 June 1989 pp 1143–61
commenced 1 July 1989 (see s 2)

as amended by—

Crown Proceedings Amendment Regulation (No. 1) 1996 SL No. 61

notfd gaz 4 April 1996 pp 1533–4
commenced on date of notification

5 List of annotations

Commencement

s 2 om R1 (see RA s 37)

Repeal

s 3 om R1 (see RA s 40)

Warrant of commitment—Act, s 13(4)

s 4 sub 1996 SL No. 61 s 3

Warrant of execution—Act, ss 13(4) and 14(4)

s 5 sub 1996 SL No. 61 s 3

SCHEDULE—LIST OF FORMS

om 1996 SL No. 61 s 4