

South Australia

# **Criminal Law Consolidation (General) (False or Misleading Information) Variation Regulations 2020**

under the *Criminal Law Consolidation Act 1935*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Criminal Law Consolidation (General) (False or Misleading Information) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which the *Criminal Law Consolidation (False or Misleading Information) Amendment Act 2019* comes into operation.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Criminal Law Consolidation (General) Regulations 2006*

### 4—Insertion of regulation 5

After regulation 4A insert:

#### 5—False or misleading information entered into electronic court management system

- (1) For the purposes of the definition of *ECMS* in section 241A(3) of the Act, the electronic court management systems established under the *Uniform Civil Court Rules 2020* and the *Supreme Court Probate Rules 2015* are prescribed.
- (2) For the purposes of paragraph (b) of the definition of *enters information into an ECMS* in section 241A(3) of the Act, the marking of a check box (however described) selecting a particular option is prescribed.
- (3) For the purposes of the definition of *information* in section 241A(3) of the Act, the following information, or information of a kind, is prescribed:
  - (a) information setting out—
    - (i) in the case of a party who is a natural person—
      - (A) the name, business name or trading name of the person; or
      - (B) an Australian Business Number; or
      - (C) the date of birth of the person; or
      - (D) the residential address of the person; or
      - (E) an address at which documents can be served on the person; or
      - (F) a telephone number; or
      - (G) an email address; or
    - (ii) in the case of a party who is a body corporate—
      - (A) the name, business name or trading name of the body corporate; or
      - (B) an Australian Business Number or Australian Company Number; or
      - (C) the name, date of birth and residential address of a director of the body corporate; or

- (D) the registered office (if any) of the body corporate (within the meaning of the *Corporations Act 2001* of the Commonwealth); or
  - (E) an address at which the body corporate undertakes activities; or
  - (F) an address at which documents can be served on the body corporate; or
  - (G) a telephone number; or
  - (H) an email address;
- (b) in the case where a party is acting, or purportedly acting, on behalf of another person or body—information identifying that person or body, the relationship of that person or body to the party and the basis on which the party is acting on behalf of that person or body;
  - (c) information setting out the nature of a party (for example, whether a party is an individual, partnership, organisation or regular party);
  - (d) information relating to whether a specified person is a legal practitioner;
  - (e) information relating to whether any relevant orders have been made by a court or tribunal and the terms of those orders;
  - (f) information relating to a probate, testamentary or administration matter (including, to avoid doubt, information relating to the assets and liabilities of a person or any other information which may affect a right or liability in relation to an estate).

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 11 June 2020

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