

## ANNEXURE B

### COMMITTAL FORM

Name of defendant:

Date of committal proceedings:

Charge number, description and maximum penalty	Date of offence	Is this charge strictly indictable, summary only or summary/indictable?	Does the prosecution consent to a waiver of the committal pursuant to s 88B?	Is this a backup or related charge requiring transfer? If so, to which charge?  Specify whether backup or related	What provision of the <i>Magistrates Court Act</i> is relied upon for committal?
<i>CC2024/1234 Aggravated robbery  25 years imprisonment/2500 penalty units</i>	<i>2/2/22</i>	<i>Summary/indictable</i>	<i>Yes</i>	<i>N/A</i>	<i>s 88B(1)</i>
<i>CC2024/1235 Common assault  2 years imprisonment</i>	<i>2/2/22</i>	<i>Summary</i>	<i>Yes</i>	<i>Backup to CC2024/1234</i>	<i>s 88B(2)</i>

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Prosecutor

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Defence

#### COMMITTAL FOR TRIAL

Committal for trial of indictable offences – s 88B(1) *Magistrates Court Act 1930*

Transfer of related summary offence or back-up summary offence for trial – s 88(2) *Magistrates Court Act 1930*

#### COMMITTAL FOR SENTENCE

Committal for sentence of indictable offence – s 90A(7) *Magistrates Court Act 1930*

Transfer of related summary offence or back-up summary offence for sentence – s 90B(3) *Magistrates Court Act 1930* (if transferred with principal charges)

#### DEFINITIONS

**‘Back-up offence’** – s 68CA *Supreme Court Act 1933*

a summary offence or an indictable offence capable of being dealt with by the Magistrates Court, **and** at least some of the elements of which are similar to the elements that constitute the first indictable offence **and** is being prosecuted on the same facts as the first indictable offence

**‘Related offence’** – s 68CA *Supreme Court Act 1933*

A summary offence or an indictable offence that is capable of being dealt with by the Magistrate’s Court, and that arises from substantially the same circumstances as those from which the first indictable offence has arisen.