

1996

**LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY**

REMAND CENTRES (AMENDMENT) BILL 1996

EXPLANATORY MEMORANDUM

Circulated by authority of

Gary Humphries MLA

Attorney-General

REMAND CENTRES (AMENDMENT) BILL 1996

Outline

The purpose of this Bill is to clarify the meaning of paragraph 15(1)(m) of the *Remand Centres Act 1976*.

Financial Implications

There are no financial implications.

Notes on the Clauses

Clause 1 – Short title

This is a formal clause to provide for the short title of the Act.

Clause 2 – Commencement

This clause provides that the formal provisions of the Act commence on the day the Act is notified in the *Gazette* and the substantive provision (section 4) commences either immediately after the commencement of the substantive provisions of the *Remand Centres (Amendment) Act 1995* or else on the day on which this Act is notified in the *Gazette*, whichever is the later.

Clause 3 – Principal Act

This is a formal clause which provides that the term "Principal Act" means the *Remand Centres Act 1976*.

Clause 4 – Persons who may be detained in a Remand Centre

The purpose of this clause is to clarify the intention of paragraph 15(1)(m) of the Principal Act. That paragraph was inserted into the Principal Act by section 4 of the *Remand Centres (Amendment) Act 1995* and provides that one of the categories of persons who may be detained in a remand centre is:

- a person who has been convicted by an ACT court and sentenced to a term of imprisonment;
- who has not been granted bail or liable to be detained for any other cause; and
- who has appealed against his or her conviction.

Clause 4 makes it clear that such a person can only be held in a remand centre if an additional condition is satisfied; that is, if a court has made an order or issued a warrant to that effect.