

AUSTRALIAN CAPITAL TERRITORY

Parole (Amendment) Ordinance 1986

No. 73 of 1986

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 29 October 1986.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

LIONEL BOWEN
Attorney-General

An Ordinance to amend the *Parole Ordinance 1976*

Short title

1. This Ordinance may be cited as the *Parole (Amendment) Ordinance 1986*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Parole Ordinance 1976*.²

Establishment and constitution of Parole Board

3. Section 9 of the Principal Ordinance is amended by omitting paragraph (2) (b) and substituting the following paragraph:

“(b) 1 member, being—

- (i) where there are persons holding office as members of the House of Assembly—a person nominated by that House; and
- (ii) where there are not any persons holding office as members of the House of Assembly—a person recommended by the Attorney-General; and”.

Tenure of office

4. Section 9A of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) all words from and including “(other than” to and including “holds office” and substituting “, other than a member referred to in sub-section (2) or (2A), holds office”;
- (b) by omitting from sub-section (2) all words from and including “if the member” to and including “holds office” and substituting—
“if a member—
 - (a) was, pursuant to paragraph 9 (2) (b), nominated for appointment by the House of Assembly; and
 - (b) was, at the time of being appointed, a member of that House, that member holds office”; and
- (c) by inserting after sub-section (2) the following sub-section:
“(2A) Subject to this Division, if a member’s appointment is occasioned by reason of the circumstances referred to in sub-paragraph 9 (2) (b) (ii), the member holds office until—
 - (a) the first meeting of the House of Assembly held after the election of members of that House next following his or her appointment as a member of the Board; or
 - (b) the expiration of the period of 12 months that commenced on the date of the member’s appointment,whichever first occurs.”.

Termination of appointment

5. Section 12 of the Principal Ordinance is amended by omitting paragraph (2) (c) and substituting the following paragraph:

- “(c) being a member who—

- (i) was, pursuant to paragraph 9 (2) (b), nominated for appointment as a member by the House of Assembly; and
- (ii) was, at the time of being appointed, a member of that House, ceases to be a member of that House.”.

Termination of particular appointment

6. Where, immediately before the commencement of this Ordinance, a member’s appointment was liable to be terminated by the Governor-General under sub-section 12 (2) of the Principal Ordinance on the ground referred to in paragraph 12 (2) (c) of that Ordinance, that member ceases, by force of this section, to hold office as a member of the Board.

NOTES

- 1. Notified in the *Commonwealth of Australia Gazette* on 6 November 1986.
- 2. No. 29, 1976 as amended by No. 46, 1978; Nos. 1 and 83, 1982; No 67, 1985.