



AUSTRALIAN CAPITAL TERRITORY

Crimes (Amendment) Act (No. 3) 1997

No. 86 of 1997

An Act to amend the *Crimes Act 1900*

[Notified in ACT Gazette S359: 21 November 1997]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Crimes (Amendment) Act (No. 3) 1997*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.

(3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

Principal Act

3. In this Act, “Principal Act” means the *Crimes Act 1900*.¹

Insertion

4. After section 443 of the Principal Act the following section is inserted:

Sentences of imprisonment and uncompleted juvenile detention orders

“444. (1) In imposing a defined sentence on an adult who is, at the time of sentencing, the subject of a Children’s Services Act order, a court shall—

- (a) in determining the duration of the defined sentence, take into account any remaining period during which the Children’s Services Act order would remain in force if not discharged under paragraph (b); and
- (b) discharge the Children’s Services Act order accordingly.

“(2) In this section—

‘adult’ means a person of the age of 18 years or over;

‘Children’s Services Act order’ means an order under paragraph 47 (1) (g), (h), (i), (j) or (k) of the *Children’s Services Act 1986*;

‘defined sentence’, in relation to an adult, means a sentence that would be likely to bring the adult into contact with other adult offenders, including—

- (a) a sentence of imprisonment;
- (b) a periodic detention order under section 4 of the *Periodic Detention Act 1995*; and
- (c) a community service order under section 556G.”.

NOTE

Principal Act

1. Reprinted as at 30 November 1996. See also Act No. 74, 1996; Nos. 10 and 23, 1997.

[Presentation speech made in Assembly on 25 September 1997]