



Australian Capital Territory

Corrections Management Amendment Act 2015

A2015-37

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Australian Capital Territory

Corrections Management Amendment Act 2015

A2015-37

An Act to amend the *Corrections Management Act 2007*, and for other purposes

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

1 Name of Act

This Act is the *Corrections Management Amendment Act 2015*.

2 Commencement

- (1) Sections 6 and 8 commence on the day after this Act's notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

- (2) The remaining provisions commence 6 weeks after this Act's notification day.

3 Legislation amended

This Act amends the *Corrections Management Act 2007*.

Note This Act also amends the *Children and Young People Act 2008* (see s 8).

4 Alcohol and drug testing of detainees Section 134 (1)

substitute

- (1) The director-general may direct the following to provide a stated kind of test sample:
- (a) a detainee;
 - (b) a number of randomly selected detainees at a correctional centre.

5 New section 134 (6)

insert

- (6) In this section:

randomly selected means chosen by a computer programmed to choose names randomly from the register of detainees.

6 Interstate leave permits New section 208 (2A) to (2C)

insert

- (2A) For subsection (2) (c), the director-general may, before the permit ends (a **current permit**), decide to extend the current permit for an additional period (an **extension period**) if—
- (a) the date the extension period ends is within 7 days after the day the current permit ends; and
 - (b) the director-general is satisfied that—
 - (i) an extension of the current permit is for a purpose for which an interstate leave permit may be granted under this section; and
 - (ii) appropriate measures are in place to allow the detainee to remain at a particular place in the State to which the permit applies.

- (2B) The director-general may make a decision under subsection (2A) more than once.

Note The director-general may also direct a full-time detainee to be removed to a NSW correctional centre under the [Crimes \(Sentence Administration\) Act 2005](#), s 26 (Full-time detention in ACT or NSW).

- (2C) If the director-general delegates the function mentioned in subsection (2A), a delegate who extends a permit that has previously been extended at least 3 times must tell the director-general about the delegate's decision.

Note For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

7 Random testing of detainees—statistical purposes Section 221

omit

**8 Children and Young People Act 2008
New section 242 (3A) to (3C)**

insert

- (3A) For subsection (3) (e), the director-general may, before the permit ends (a ***current permit***), decide to extend the current permit for an additional period (an ***extension period***) if—
- (a) the date the extension period ends is within 7 days after the day the current permit ends; and
 - (b) the director-general is satisfied that—
 - (i) an extension of the current permit is for a purpose for which an interstate leave permit may be granted under this section; and
 - (ii) appropriate measures are in place to allow the detainee to remain at a particular place in the State to which the permit applies.
- (3B) The director-general may make a decision under subsection (3A) more than once.
- (3C) If the director-general delegates the function mentioned in subsection (3A), a delegate who extends a permit that has previously been extended at least 3 times must tell the director-general about the delegate's decision.

Note Pt 5.2 (Interstate transfers) deals with the transfer of a young offender from or to the ACT, or through the ACT from a State to another State.

Note For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 13 August 2015.

2 Notification

Notified under the [Legislation Act](#) on 1 October 2015.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Corrections Management Amendment Bill 2015, which was passed by the Legislative Assembly on 22 September 2015.

Acting Clerk of the Legislative Assembly

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