



Australian Capital Territory

Crimes (Sentence Administration) Amendment Act 2024

A2024-26

An Act to amend the *Crimes (Sentence Administration) Act 2005*

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

1 Name of Act

This Act is the *Crimes (Sentence Administration) Amendment Act 2024*.

2 Commencement

This Act commences on the 7th day after its notification day.

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

3 Legislation amended

This Act amends the *Crimes (Sentence Administration) Act 2005*.

**4 Intensive correction orders—community service work—failure to report etc
New section 47 (5) to (7)**

insert

(5) Subsection (6) applies if—

- (a) an offender fails to do community service work for a period (the *unworked period*) in accordance with a direction under section 46; and
- (b) the director-general is satisfied the offender's failure to do the community service work in accordance with the direction for the unworked period is because of circumstances preventing the work from being done, that were beyond the offender's control.

Examples—par (b)

- 1 community service work cannot be done because of weather conditions
- 2 community service work cannot be done because of unforeseeable absence of supervising staff

(6) The director-general may direct that the offender is taken to have done the community service work in accordance with the direction for a period that is not more than the unworked period.

- (7) However, before making a direction under subsection (6), the director-general must—
- (a) consider the purposes of sentencing under the *Crimes (Sentencing) Act 2005*, section 7; and
 - (b) be satisfied the total period the offender is taken to have done community service work during all unworked periods is not more than—
 - (i) 8 hours in a week; or
 - (ii) 10% of the total number of hours of community service work required to be performed by the offender.

**5 Good behaviour orders—community service work—
failure to report etc
New section 92 (5) to (7)**

insert

- (5) Subsection (6) applies if—
- (a) an offender fails to do community service work for a period (the ***unworked period***) in accordance with a direction under section 91; and
 - (b) the director-general is satisfied the offender's failure to do the community service work in accordance with the direction for the unworked period is because of circumstances preventing the work from being done, that were beyond the offender's control.

Examples—par (b)

- 1 community service work cannot be done because of the weather conditions
 - 2 community service work cannot be done because of unforeseeable absence of supervising staff
- (6) The director-general may direct that the offender is taken to have done the community service work in accordance with the direction for a period that is not more than the unworked period.

- (7) However, before making a direction under subsection (6), the director-general must—
- (a) consider the purposes of sentencing under the [Crimes \(Sentencing\) Act 2005](#), section 7; and
 - (b) be satisfied the total period the offender is taken to have done community service work during all unworked periods is not more than—
 - (i) 8 hours in a week; or
 - (ii) 10% of the total number of hours of community service work required to be performed by the offender.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 11 April 2024.

2 Notification

Notified under the [Legislation Act](#) on 19 June 2024.

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 Crimes (Sentence Administration) Amendment Bill 2024, which was passed by the Legislative Assembly on 5 June 2024.

Clerk of the Legislative Assembly

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