

2015

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Justice)

Corrections Management Amendment Bill 2015

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Corrections Management Amendment Bill 2015

A Bill for

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 **1 Name of Act**

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

3 **2 Commencement**

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

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

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

10 **3 Legislation amended**

11 This Act amends the *Corrections Management Act 2007*.

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

14 **4 Alcohol and drug testing of detainees**
15 **Section 134 (1)**

16 *substitute*

- 17 (1) The director-general may direct the following to provide a stated
18 kind of test sample:

19 (a) a detainee;

20 (b) a number of randomly selected detainees at a correctional
21 centre.

22 **5 New section 134 (6)**

23 *insert*

- 24 (6) In this section:

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

1 **6 Interstate leave permits**
2 **New section 208 (2A) to (2C)**

3 *insert*

4 (2A) For subsection (2) (c), the director-general may, before the permit
5 ends (a *current permit*), decide to extend the current permit for an
6 additional period (an *extension period*) if—

7 (a) the date the extension period ends is within 7 days after the day
8 the current permit ends; and

9 (b) the director-general is satisfied that—

10 (i) an extension of the current permit is for a purpose for
11 which an interstate leave permit may be granted under
12 this section; and

13 (ii) appropriate measures are in place to allow the detainee to
14 remain at a particular place in the State to which the
15 permit applies.

16 (2B) The director-general may make a decision under subsection (2A)
17 more than once.

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

21 (2C) If the director-general delegates the function mentioned in
22 subsection (2A), a delegate who extends a permit that has previously
23 been extended at least 3 times must tell the director-general about
24 the delegate's decision.

25 *Note* For the making of delegations and the exercise of delegated functions,
26 see the *Legislation Act*, pt 19.4.

27 **7 Random testing of detainees—statistical purposes**
28 **Section 221**

29 *omit*

1 **8 Children and Young People Act 2008**
2 **New section 242 (3A) to (3C)**

3 *insert*

4 (3A) For subsection (3) (e), the director-general may, before the permit
5 ends (a *current permit*), decide to extend the current permit for an
6 additional period (an *extension period*) if—

7 (a) the date the extension period ends is within 7 days after the day
8 the current permit ends; and

9 (b) the director-general is satisfied that—

10 (i) an extension of the current permit is for a purpose for
11 which an interstate leave permit may be granted under
12 this section; and

13 (ii) appropriate measures are in place to allow the detainee to
14 remain at a particular place in the State to which the
15 permit applies.

16 (3B) The director-general may make a decision under subsection (3A)
17 more than once.

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

20 (3C) If the director-general delegates the function mentioned in
21 subsection (3A), a delegate who extends a permit that has previously
22 been extended at least 3 times must tell the director-general about
23 the delegate's decision.

24 *Note* For the making of delegations and the exercise of delegated functions,
25 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 2015.

3 Republications of amended laws

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

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