

EXPLANATORY STATEMENT

PAROLE (AMENDMENT) ORDINANCE 1988

No. 3, 1988

The Parole (Amendment) Ordinance 1988 amends the Parole Ordinance 1976 ("the Principal Ordinance") to enable the Parole Board of the Australian Capital Territory ("the Board") to release on parole prisoners whose sentences less parole period and less remissions to which they would be entitled under NSW law have expired. Section 20 of the Principal Ordinance provides inter alia that the Board may not release prisoners on parole before the relevant "non-parole period" has expired other than in exceptional circumstances. The proposed Ordinance amends the definition of "non-parole period".

Details of the Ordinance are:

Section 1 deals with citation.

Section 2 inserts an additional paragraph 5(1)(c) into the Principal Ordinance. The section, as amended, provides that "non-parole period" means a period fixed by the court as the period during which a person is not to be eligible for release on parole less any reduction or remission to which a prisoner is entitled under section 5 of the Removal of Prisoners (Australian Capital Territory) Act 1968 ("the Act"). (Subsection 5(3) of the Act provides that prisoners are entitled to reductions or remissions of sentences to which they would be entitled if they had been sentenced in NSW).