

AUSTRALIAN CAPITAL TERRITORY

SUPERVISION OF OFFENDERS (COMMUNITY SERVICE ORDERS)  
ORDINANCE 1985

ORDINANCE NO. 10 OF 1985

EXPLANATORY STATEMENT

The Crimes (Amendment) Ordinance 1985 enables a court to order that an adult offender perform unpaid work of a nature useful to the community for a certain period. The Supervision of Offenders (Community Service Orders) Ordinance 1985 provides for the supervision of offenders in respect of whom orders under the Crimes (Amendment) Ordinance have been made. Both Ordinances will come into operation on dates to be fixed by the Minister for Territories by notice in the Gazette. Details of the Supervision of Offenders (Community Service Orders) Ordinance are set out below:

Sections 1, 2 and 3 are formal provisions.

Section 4 empowers the Minister to appoint authorized officers (who must be officers or employees within the meaning of the Public Service Act 1922) for the purposes of the Ordinance and of the new Part XVA of the Crimes Act 1900 of New South Wales in its application to the Territory inserted by the Crimes (Amendment) Ordinance 1985.

Section 5 empowers the Minister to appoint supervisors to ensure that offenders perform work in accordance with community service orders.

Section 6 requires work under a community service order to be performed in accordance with the directions of an authorized officer. In giving such directions the authorized officer will be required to take account of the religious beliefs of the offender and to avoid interference with the times the offender normally attends work or an educational establishment.

Section 7 requires an offender to comply with a community service order by working for 8 hours on one day each week unless he is unable to do so for any period through illness or injury or by reason of his occupation or for any other sufficient reason it is impracticable or unreasonable to require him to work for 8 hours on any day.

Section 8 allows an authorized officer to arrange for an offender to be transported to or from the place where he has been directed to report for work.

Section 9 allows a supervisor to instruct an offender to cease work if it becomes impracticable or unreasonable for him to continue as a result of inclement weather, illness of or injury to the offender or any other sufficient reason. Time not worked as a result of such an instruction will be taken to be time worked by the offender in compliance with the community service order.

Section 10 provides for the payment of compensation to an offender performing work under a community service order in accordance with the Workmen's Compensation Ordinance 1951 as if the offender, in performing that work, were employed by the Commonwealth under a contract of service.

Section 11 allows an offender to obtain a certificate of discharge if he has worked or is, under the Ordinance, taken to have worked the number of hours specified in a community service order.

Ord. No. 22/83