



Australian Capital Territory

Crimes (Sentencing) Regulation 2006

SL2006-22

made under the

Crimes (Sentencing) Act 2005

Republication No 1

Effective: 2 June 2006 – 18 December 2007

Republication date: 2 June 2006

Last amendment made by SL2006-25
(republication for new regulation and amendments by SL2006-25)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Crimes (Sentencing) Regulation 2006*, made under the *Crimes (Sentencing) Act 2005* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 2 June 2006. It also includes any amendment, repeal or expiry affecting the republished law to 2 June 2006.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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R1
02/06/06

Crimes (Sentencing) Regulation 2006
Effective: 02/06/06-18/12/07

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Australian Capital Territory

Crimes (Sentencing) Regulation 2006

made under the

Crimes (Sentencing) Act 2005

1 Name of regulation

This regulation is the *Crimes (Sentencing) Regulation 2006*.

2 Rehabilitation program—Act, s 93 def *rehabilitation program*

- (1) For the Act, each of the following is a rehabilitation program:
- (a) programs to treat adults for sexual behaviour that is unlawful or inappropriate;
 - (b) programs to treat children for sexual behaviour that is unlawful or inappropriate;
 - (c) programs that impart self-management and social skills to enable offenders to deal with difficult situations in ways that do not involve the criminal behaviour;
 - (d) programs for people who have committed a domestic violence offence;
 - (e) an alcohol or drug rehabilitation program provided by an entity—
 - (i) under an agreement with the Territory under the *Crimes (Sentence Administration) Act 2005*, section 101; or
 - (ii) with the consent of the chief executive.
- (2) Before giving a consent under subsection (1) (e) (ii), the chief executive must consult with the chief executive of the administrative unit responsible for the *Health Act 1993*.

3 Modification of Act, ch 10 (Transitional)

- (1) The Act, chapter 10 (Transitional) is modified by schedule 1.
- (2) This section, and schedule 1, expire on the day the *Corrections Management Act 2006* commences.
- (3) In this section:
Corrections Management Act 2006—see the *Crimes (Sentence Administration) Act 2005*, section 603 (Definitions—ch 17).

Schedule 1 Modification of Act, ch 10 (Transitional)

(see s 3)

[1.1] New section 140A

insert

140A References to *charge*—s 140

- (1) A reference in section 140 to an offender being charged with an offence includes a reference to—
 - (a) an information or indictment (including an amended or substituted information or indictment) being filed in a court against the offender for the offence; and
 - (b) if the offender is committed under the *Magistrates Court Act 1930*, section 90A (Plea of guilty in committal proceeding)—the Supreme court deciding to deal with the offender under section 90A (11) of that Act.
- (2) For subsection (1), it does not matter whether a charge is filed in relation to an offence for which an earlier charge has been laid.
- (3) If section 140 (1) applies to an offender because of subsection (2), and the charge was filed before the commencement of section 140, the charge must be disregarded for section 140 (2).

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was made as part of the *Sentencing Legislation Amendment Act 2006* (see A2006-23, s 4 and sch 3).

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taken to have been notified LR 18 May 2006 (A2006-23, s 4 (3) (a))
s 1 taken to have commenced 18 May 2006 (LA s 75 (1))
remainder commenced 2 June 2006 (A2006-23 s 4 (3) (b) and see
Crimes (Sentencing) Act 2005 A2005-58, s 2 and LA s 79)

as amended by

Crimes (Sentencing) Amendment Regulation 2006 (No 1) SL2006-25

notified LR 1 June 2006
s 1, s 2 commenced 1 June 2006 (LA s 75 (1))
remainder commenced 2 June 2006 (s 2 and see Crimes (Sentencing)
Act 2005 A2005-58, s 2 and LA s 79)

4 Amendment history

Rehabilitation program—Act, s 93 def *rehabilitation program*

s 2 am SL2006-25 ss 4-6

Modification of Act, ch 10 (Transitional)

s 3 ins SL2006-25 s 7
exp on the day the *Corrections Management Act 2006*
commences (s 3 (2))

Modification of Act, ch 10 (Transitional)

sch 1 ins SL2006-25 s 8
exp on the day the *Corrections Management Act 2006*
commences (s 3 (2))

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