



Australian Capital Territory

# **Crimes (Sentence Administration) Regulation 2006**

**SL2006-23**

made under the

**Crimes (Sentence Administration) Act 2005**

**Republication No 4**

**Effective: 20 October 2007 – 18 December 2007**

Republication date: 20 October 2007

Last amendment made by SL2007-34

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Crimes (Sentence Administration) Regulation 2006*, made under the *Crimes (Sentence Administration) Act 2005* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 20 October 2007. It also includes any amendment, repeal or expiry affecting the republished law to 20 October 2007.

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](http://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.



Australian Capital Territory

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made under the

**Crimes (Sentence Administration) Act 2005**

## Contents

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|   | Page |
|---|------|
| 1 Name of regulation  | 2    |
| 2 Dictionary  | 2    |
| 3 Notes   | 2    |
| 4 Parole order—core conditions—Act, s 137 (1) (f)                                     | 2    |
| 6 Transitional—interim custody arrangements—modification of Act, ch 17—Act, s 611 (2) | 4    |

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R4  
20/10/07

Crimes (Sentence Administration) Regulation 2006  
Effective: 20/10/07-18/12/07

contents 1

Contents

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|                   |  |           |
|-------------------|--|-----------|
| <b>Schedule 2</b> | <b>Transitional—interim custody arrangements</b> | Page<br>5 |
| <b>Dictionary</b> |  | 6         |
| <b>Endnotes</b>   |  |           |
| 1                 | About the endnotes                               | 8         |
| 2                 | Abbreviation key                                 | 8         |
| 3                 | Legislation history                              | 9         |
| 4                 | Amendment history                                | 10        |
| 5                 | Earlier republications                           | 10        |



Australian Capital Territory

# **Crimes (Sentence Administration) Regulation 2006**

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made under the

**Crimes (Sentence Administration) Act 2005**

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**1 Name of regulation**

This regulation is the *Crimes (Sentence Administration) Regulation 2006*.

**2 Dictionary**

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition '*drug of dependence*—see the *Drugs of Dependence Act 1989*, section 3 (1).' means that the term 'drug of dependence' is defined in that section and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

**3 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

**4 Parole order—core conditions—Act, s 137 (1) (f)**

The following conditions are prescribed:

- (a) the offender must live only at premises approved by the chief executive;
- (b) the offender must report to a person at a time and place nominated by the chief executive;
- (c) the offender must not use a prohibited substance, or abuse a prescribed substance that is lawfully obtained;

- (d) the offender must authorise each doctor, therapist or counsellor of the offender to give information about the offender to the chief executive;
- (e) the offender must not leave the ACT for longer than 1 day without the prior written permission of the chief executive;
- (f) the offender must comply with all conditions to which a permission to leave the ACT is subject;
- (g) the offender must not leave Australia without the board's prior written permission;
- (h) the offender must not have possession or control of a firearm, prohibited weapon, prohibited article or offensive weapon;
- (i) the offender must comply with any direction given to the offender by the chief executive.

**Example for par (b)**

to report to a corrections officer at a correctional centre, or to a person where the offender works

**Examples for par (i)**

directions about any of the following:

- associating with particular people
- visiting any place, including a particular suburb
- obtaining, being available for or keeping employment
- attending or taking part in an approved activity or program

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

**6 Transitional—interim custody arrangements—  
modification of Act, ch 17—Act, s 611 (2)**

- (1) The Act, chapter 17 (Transitional—interim custody arrangements) is modified as set out in schedule 2.
- (2) This section and schedule 2 expire on the day the *Corrections Management Act 2007*, chapter 3 commences.



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## Schedule 2 Transitional—interim custody arrangements

(see s 6)

### [1.1] New section 610A

*insert*

#### 610A Remandees—clothing

- (1) The chief executive may require all remandees at a correctional centre to wear clothing provided by the chief executive if the chief executive believes on reasonable grounds that it is necessary, having regard to 1 or more of the following:
  - (a) the risk of harm to remandees and other people from certain clothing or parts of clothing that may otherwise be worn;
  - (b) the protection of vulnerable remandees;
  - (c) the maintenance of security or good order at the correctional centre;
  - (d) the safety of visitors and staff at the correctional centre.
- (2) This section is a law to which the Legislation Act, section 88 (Repeal does not end effect of transitional laws etc) applies.

## Dictionary

(see s 2)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- ACT
- chief executive
- doctor.

*Note 3* Terms used in this regulation have the same meaning that they have in the *Crimes (Sentence Administration) Act 2005* (see Legislation Act, s 148). For example, the following terms are defined in the *Crimes (Sentence Administration) Act 2005*, dict:

- board
- offender
- test sample.

***drug of dependence***—see the *Drugs of Dependence Act 1989*, section 3 (1).

***drugs and poisons standard***—see the *Poisons and Drugs Act 1978*, dictionary.

***firearm***—see the *Firearms Act 1996*, section 4.

***offensive weapon***—see the *Crimes Act 1900*, dictionary.

***prescribed substance*** means—

- (a) a drug of dependence; or
- (b) a substance mentioned in the drugs and poisons standard, schedule 2, schedule 3 or schedule 4.

***prohibited article***—see the *Prohibited Weapons Act 1996*, section 3 (1).

***prohibited substance***—see the *Drugs of Dependence Act 1989*, section 3 (1).

*prohibited weapon*—see the *Prohibited Weapons Act 1996*, section 3 (1).

## Endnotes

1 About the endnotes

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## 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 |

### 3 Legislation history

This regulation was made as part of the *Sentencing Legislation Amendment Act 2006* (see A2006-23, s 5 and sch 4).

#### **Crimes (Sentence Administration) Regulation 2006 SL2006-23**

taken to have been notified LR 18 May 2006 (A2006-23, s 5 (3) (a))  
s 1 taken to have commenced 18 May 2006 (LA s 75 (1))  
remainder commenced 2 June 2006 (A2006-23 s 5 (3) (b) and see  
Crimes (Sentence Administration) Act 2005 A2005-59 s 2, Crimes  
(Sentencing) Act 2005 A2005-58, s 2 and LA s 79)

as amended by

#### **Crimes (Sentence Administration) Amendment Regulation 2006 (No 1) SL2006-26**

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)

#### **Crimes (Sentence Administration) Amendment Regulation 2007 (No 1) SL2007-13**

notified LR 31 May 2007  
s 1, s 2 commenced 31 May 2007 (LA s 75 (1))  
remainder commenced 1 June 2007 (s 2)

#### **Crimes (Sentence Administration) Amendment Regulation 2007 (No 2) SL2007-34**

notified LR 19 October 2007  
s 1, s 2 commenced 19 October 2007 (LA s 75 (1))  
remainder commenced 20 October 2007 (s 2)

## Endnotes

4 Amendment history

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### 4 Amendment history

#### **Modification of Act, ch 17 (Transitional—interim custody arrangements)—Act, s 611**

s 5 ins SL2006-26 s 4  
am SL2007-13 s 4  
exp 1 August 2007 (s 5 (2))

#### **Transitional—interim custody arrangements—modification of Act, ch 17—Act, s 611 (2)**

s 6 ins SL2007-34 s 4  
exp on the day the Corrections Management Act 2007, ch 3 commences (s 6 (2))

#### **Modification of Act, ch 17 (Transitional—interim custody arrangements)**

sch 1 ins SL2006-26 s 5  
am SL2007-13 ss 5-8  
exp 1 August 2007 (s 5 (2))

#### **Transitional—interim custody arrangements**

sch 2 ins SL2007-34 s 5  
exp on the day the Corrections Management Act 2007, ch 3 commences (s 6 (2))

### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

| <b>Republication No and date</b> | <b>Effective</b>             | <b>Last amendment made by</b> | <b>Republication for</b>                   |
|----------------------------------|------------------------------|-------------------------------|--|
| R1<br>2 June 2006                | 2 June 2006–<br>31 May 2007  | SL2006-26                     | new regulation and amendments by SL2006-26 |
| R2<br>1 June 2007                | 1 June 2007–<br>31 July 2007 | SL2007-13                     | amendments by SL2007-13                    |

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| <b>Republication<br/>No and date</b> | <b>Effective</b>           | <b>Last<br/>amendment<br/>made by</b> | <b>Republication<br/>for</b> |
|--------------------------------------|----------------------------|---------------------------------------|------------------------------|
| R3<br>1 Aug 2007                     | 1 Aug 2007–<br>19 Oct 2007 | SL2007-13                             | commenced expiry             |

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