

1997
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Education and Training on behalf of the Attorney-General)

Crimes (Amendment) Bill (No. 5) 1997

**A BILL
FOR**

An Act to amend the *Crimes Act 1900*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

- 5 1. This Act may be cited as the *Crimes (Amendment) Act (No. 5) 1997*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.
- 10 (2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.
- (3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

Principal Act

3. In this Act, "Principal Act" means the *Crimes Act 1900*.¹

Insertion

5 4. After section 443 of the Principal Act the following section is inserted:

Sentences of imprisonment and uncompleted juvenile detention orders

10 "444. (1) In imposing a defined sentence on an adult who is, at the time of sentencing, the subject of a Children's Services Act order, a court shall—

(a) in determining the duration of the defined sentence, take into account any remaining period during which the Children's Services Act order would remain in force if not discharged under paragraph (b); and

15 (b) discharge the Children's Services Act order accordingly.

"(2) In this section—

'adult' means a person of the age of 18 years or over;

'Children's Services Act order' means an order under paragraph 47 (1) (g), (h), (i), (j) or (k) of the *Children's Services Act 1986*;

20 'defined sentence', in relation to an adult, means a sentence that would be likely to bring the adult into contact with other adult offenders, including—

(a) a sentence of imprisonment;

25 (b) a periodic detention order under section 4 of the *Periodic Detention Act 1995*; and

(c) a community service order under section 556G."

NOTE

Principal Act

1 Reprinted as at 30 November 1996. See also Act No 74, 1996, Nos. 10, 23, # and #, 1997

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