

2024

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Corrections and Justice Health)

# Crimes (Sentence Administration) Amendment Bill 2024

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## A Bill for

An Act to amend the *Crimes (Sentence Administration) Act 2005*

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

1 **1 Name of Act**

2 This Act is the *Crimes (Sentence Administration) Amendment Act*  
3 *2024*.

4 **2 Commencement**

5 This Act commences on the 7th day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on  
7 the notification day (see [Legislation Act](#), s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *Crimes (Sentence Administration) Act 2005*.

10 **4 Intensive correction orders—community service work—  
11 failure to report etc  
12 New section 47 (5) to (7)**

13 *insert*

14 (5) Subsection (6) applies if—

15 (a) an offender fails to do community service work for a period (the  
16 *unworked period*) in accordance with a direction under  
17 section 46; and

18 (b) the director-general is satisfied the offender’s failure to do the  
19 community service work in accordance with the direction for the  
20 unworked period is because of circumstances preventing the  
21 work from being done, that were beyond the offender’s control.

22 **Examples—par (b)**

- 23 1 community service work cannot be done because of weather conditions  
24 2 community service work cannot be done because of unforeseeable  
25 absence of supervising staff

26 (6) The director-general may direct that the offender is taken to have  
27 done the community service work in accordance with the direction  
28 for a period that is not more than the unworked period.

1 (7) However, before making a direction under subsection (6), the  
2 director-general must—

3 (a) consider the purposes of sentencing under the *Crimes*  
4 *(Sentencing) Act 2005*, section 7; and

5 (b) be satisfied the total period the offender is taken to have done  
6 community service work during all unworked periods is not  
7 more than—

8 (i) 8 hours in a week; or

9 (ii) 10% of the total number of hours of community service  
10 work required to be performed by the offender.

11 **5 Good behaviour orders—community service work—**  
12 **failure to report etc**  
13 **New section 92 (5) to (7)**

14 *insert*

15 (5) Subsection (6) applies if—

16 (a) an offender fails to do community service work for a period (the  
17 *unworked period*) in accordance with a direction under  
18 section 91; and

19 (b) the director-general is satisfied the offender's failure to do the  
20 community service work in accordance with the direction for the  
21 unworked period is because of circumstances preventing the  
22 work from being done, that were beyond the offender's control.

23 **Examples—par (b)**

24 1 community service work cannot be done because of the weather  
25 conditions

26 2 community service work cannot be done because of unforeseeable  
27 absence of supervising staff

28 (6) The director-general may direct that the offender is taken to have  
29 done the community service work in accordance with the direction  
30 for a period that is not more than the unworked period.

- 1 (7) However, before making a direction under subsection (6), the  
2 director-general must—
- 3 (a) consider the purposes of sentencing under the *Crimes*  
4 *(Sentencing) Act 2005*, section 7; and
- 5 (b) be satisfied the total period the offender is taken to have done  
6 community service work during all unworked periods is not  
7 more than—
- 8 (i) 8 hours in a week; or
- 9 (ii) 10% of the total number of hours of community service  
10 work required to be performed by the offender.

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## Endnotes

### 1 Presentation speech

Presentation speech made in the Legislative Assembly on 11 April 2024.

### 2 Notification

Notified under the [Legislation Act](#) on 2024.

### 3 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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