



Australian Capital Territory

# **Crimes (Sentencing) Regulation 2006**

**SL2006-22**

made under the

**Crimes (Sentencing) Act 2005**

**Republication No 13**

**Effective: 28 October 2022 – 16 December 2022**

Republication date: 28 October 2022

Last amendment made by [SL2022-14](#)

## 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 28 October 2022. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 28 October 2022.

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 includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### 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 the [Legislation Act 2001](#), section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

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made under the

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R13  
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Australian Capital Territory

# Crimes (Sentencing) Regulation 2006

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made under the

**Crimes (Sentencing) Act 2005**

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**1 Name of regulation**

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

**1A Offence in relation to which victim may make statement—  
Act, s 48 (b)**

The [Act](#), part 4.3 (Victim impact statements) applies in relation to an offence against the following:

- (a) the [Road Transport \(Safety and Traffic Management\) Act 1999](#), section 6 (Negligent driving) if the driving occasions grievous bodily harm;
- (b) the [Work Health and Safety Act 2011](#), section 32 (Failure to comply with health and safety duty—category 2), if as a result of exposure to a risk of death, serious injury or illness, an individual dies, is seriously injured or develops an illness.

**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 family 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 director-general.
- (2) Before giving a consent under subsection (1) (e) (ii), the director-general must consult with the director-general of the administrative unit responsible for the *Health Act 1993*.

**3 Criminal justice entities—Act, s 136 (4) def *criminal justice entity*, par (i)**

- (1) Each of the following is a criminal justice entity:
  - (a) the Aboriginal Legal Service (NSW/ACT) Limited (ACN 118 431 066);
  - (b) the Canberra Rape Crisis Centre Inc, incorporated under the *Associations Incorporation Act 1991*, certificate of incorporation number A02865;
  - (c) the Domestic Violence Crisis Service Inc, incorporated under the *Associations Incorporation Act 1991*, certificate of incorporation number A01467;
  - (d) the Domestic Violence Project Coordinator appointed under the *Domestic Violence Agencies Act 1986*, section 11;
  - (e) the director-general responsible for administering the *Disability Services Act 1991*;
  - (f) EveryMan Australia Incorporated (ABN 54 979 533 031);

- (g) Volunteering ACT, incorporated under the *Associations Incorporation Act 1991*, certificate of incorporation number A01640;
  - (h) the Judicial Commission of New South Wales, established under the *Judicial Officers Act 1986* (NSW);
  - (i) the ACAT;
  - (j) the Coordinator-General for Family Safety;
  - (k) the Coordinator-General for the Prevention of Sexual Violence;
  - (l) the body known as the Sexual Assault (Police) Review Oversight Committee.
- (2) Subsection (1) (l) and this subsection expire on 30 June 2024.



## 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 are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

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

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

## Endnotes

3 Legislation history

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### 3 Legislation history

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

#### **Crimes (Sentencing) Regulation 2006 SL2006-22**

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)

#### **Crimes (Sentencing) Amendment Regulation 2008 (No 1) SL2008-20**

notified LR 12 May 2008  
s 1, s 2 commenced 12 May 2008 (LA s 75 (1))  
remainder commenced 13 May 2008 (s 2)

#### **Crimes (Sentencing) Amendment Regulation 2009 (No 1) SL2009-48**

notified LR 8 October 2009  
s 1, s 2 commenced 8 October 2009 (LA s 75 (1))  
remainder commenced 9 October 2009 (s 2)

#### **Crimes (Sentence Administration) Amendment Act 2010 A2010-21 sch 1 pt 1.5**

notified LR 30 June 2010  
s 1, s 2 commenced 30 June 2010 (LA s 75 (1))  
sch 1 pt 1.5 commenced 1 July 2010 (s 2)

#### **Crimes (Sentencing) Amendment Regulation 2010 (No 1) SL2010-35**

notified LR 12 August 2010  
s 1, s 2 commenced 12 August 2010 (LA s 75 (1))  
remainder commenced 13 August 2010 (s 2)

**Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.47**

notified LR 30 June 2011  
s 1, s 2 commenced 30 June 2011 (LA s 75 (1))  
sch 1 pt 1.47 commenced 1 July 2011 (s 2 (1))

**Crimes (Sentencing) Amendment Regulation 2013 (No 1) SL2013-16**

notified LR 27 June 2013  
s 1, s 2 commenced 27 June 2013 (LA s 75 (1))  
remainder commenced 28 June 2013 (s 2)

**Crimes (Sentencing) Amendment Regulation 2015 (No 1) SL2015-3**

notified LR 12 February 2015  
s 1, s 2 commenced 12 February 2015 (LA s 75 (1))  
remainder commenced 13 February 2015 (s 2)

**Crimes Legislation Amendment Act 2015 (No 2) A2015-36 pt 5**

notified LR 1 October 2015  
s 1, s 2 commenced 1 October 2015 (LA s 75)  
pt 5 commenced 2 October 2015 (s 2)

**Family Violence Act 2016 A2016-42 sch 3 pt 3.9 (as am by A2017-10 s 7)**

notified LR 18 August 2016  
s 1, s 2 commenced 18 August 2016 (LA s 75 (1))  
sch 3 pt 3.9 commenced 1 May 2017 (s 2 (2) as am by A2017-10 s 7)

**Family and Personal Violence Legislation Amendment Act 2017 A2017-10 s 7**

notified LR 6 April 2017  
s 1, s 2 commenced 6 April 2017 (LA s 75 (1))  
s 7 commenced 30 April 2017 (s 2 (1))

*Note* This Act only amends the Family Violence Act 2016 A2016-42.

**Crimes (Sentencing) Amendment Regulation 2021 (No 1) SL2021-21**

notified LR 20 August 2021  
s 1, s 2 commenced 20 August 2021 (LA s 75 (1))  
remainder commenced 21 August 2021 (s 2)

## Endnotes

3 Legislation history

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**Crimes (Sentencing) Amendment Regulation 2022 (No 1) SL2022-14**

notified LR 27 October 2022

s 1, s 2 commenced 27 October 2022 (LA s 75 (1))

remainder commenced 28 October 2022 (s 2)

## 4 Amendment history

### Offence in relation to which victim may make statement—Act, s 48 (b)

s 1A ins [SL2010-35](#) s 4  
sub [A2015-36](#) s 38

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

s 2 am [SL2006-25](#) ss 4-6; [A2011-22](#) amdt 1.150; [A2016-42](#)  
amdt 3.50

### Criminal justice entities—Act, s 136 (4) def *criminal justice entity*, par (i)

s 3 ins [SL2006-25](#) s 7  
exp 18 December 2007 (s 3 (2))  
ins [SL2008-20](#) s 4  
am [SL2009-48](#) s 4; pars renum R4 LA; [A2010-21](#) amdt 1.8;  
[A2011-22](#) amdt 1.150; [SL2013-16](#) s 3; [SL2015-3](#) s 4, s 5;  
pars renum R9 LA; [SL2021-21](#) s 4, s 5; pars renum R12 LA;  
[SL2022-14](#) s 4, s 5  
(1) (l), (2) exp 30 June 2024 (s 3 (2))

### Modification of Act, ch 10 (Transitional)

sch 1 ins [SL2006-25](#) s 8  
exp 18 December 2007 (s 3 (2))

## Endnotes

### 5 Earlier republications

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#### 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 2 June 2006	2 June 2006– 18 Dec 2007	<a href="#">SL2006-25</a>	new regulation and amendments by <a href="#">SL2006-25</a>
R2 19 Dec 2007	19 Dec 2007– 12 May 2008	<a href="#">SL2006-25</a>	commenced expiry
R3 13 May 2008	13 May 2008– 8 Oct 2009	<a href="#">SL2008-20</a>	amendments by <a href="#">SL2008-20</a>
R4 9 Oct 2009	9 Oct 2009– 30 June 2010	<a href="#">SL2009-48</a>	amendments by <a href="#">SL2009-48</a>
R5* 1 July 2010	1 July 2010– 12 Aug 2010	<a href="#">A2010-21</a>	amendments by <a href="#">A2010-21</a>
R6 13 Aug 2010	13 Aug 2010– 30 June 2011	<a href="#">SL2010-35</a>	amendments by <a href="#">SL2010-35</a>
R7 1 July 2011	1 July 2011– 27 June 2013	<a href="#">A2011-22</a>	amendments by <a href="#">A2011-22</a>
R8 28 June 2013	28 June 2013– 12 Feb 2015	<a href="#">SL2013-16</a>	amendments by <a href="#">SL2013-16</a>
R9 13 Feb 2015	13 Feb 2015– 1 Oct 2015	<a href="#">SL2015-3</a>	amendments by <a href="#">SL2015-3</a>
R10 2 Oct 2015	2 Oct 2015– 30 Apr 2017	<a href="#">A2015-36</a>	amendments by <a href="#">A2015-36</a>

Republication No and date	Effective	Last amendment made by	Republication for
R11 1 May 2017	1 May 2017– 20 Aug 2021	<a href="#">A2017-10</a>	amendments by <a href="#">A2016-42</a> as amended by <a href="#">A2017-10</a>
R12 21 Aug 2021	21 Aug 2021– 27 Oct 2022	<a href="#">SL2021-21</a>	amendments by <a href="#">SL2021-21</a>

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