

[Act 1997 No 8]



Sentencing Amendment (Transitional) Bill 1997

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to vary the scope of amendments made to the *Sentencing Act 1989* and the *Correctional Centres Act 1952* by the *Sentencing Legislation Further Amendment Act 1997*, by providing that those amendments have effect in relation to certain proceedings and processes that were pending at the date on which the Bill for the lastmentioned Act was introduced into Parliament, as well as to proceedings and processes commencing on or after that date.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision giving effect to the amendments to the *Sentencing Act 1989* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] repeals and re-enacts clause 8 (1) of Schedule 2A to the *Sentencing Act 1989*. Under the clause as re-enacted, the effect of the amendments made to section 13A of that Act by the *Sentencing Legislation Further Amendment Act 1997* extends to an application made before the date on which the Bill for that Act was introduced into Parliament, unless the application had been fully dealt with (or fully heard, with judgment reserved) before the date of introduction of this Bill.

Schedule 1 [2] repeals clause 8 (4) of Schedule 2A to the *Sentencing Act 1989* and inserts a new clause 8 (4) and (5), the effect of which is that:

- (a) section 22P of that Act (inserted by the *Sentencing Legislation Further Amendment Act 1997*) extends to apply in relation to the exercise of functions by the Parole Board with respect to a matter that the Board had commenced to deal with before the date on which the Bill for that Act was introduced into Parliament, unless the Board had completed the exercise of those functions with respect to the matter before the date of introduction of this Bill, and
- (b) section 62AA of the *Correctional Centres Act 1952* (inserted by the *Sentencing Legislation Further Amendment Act 1997*) extends to apply in relation to the exercise of functions by the Serious Offenders Review Council with respect to a matter that the Review Council had commenced to deal with before the date on which the Bill for that Act was introduced into Parliament, unless the Review Council had completed the exercise of those functions with respect to the matter before the date of introduction of this Bill.