

Passed by both Houses



New South Wales

# Crimes (Sentencing Procedure) Amendment Bill 2006

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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2006*



New South Wales

## **Crimes (Sentencing Procedure) Amendment Bill 2006**

Act No , 2006

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An Act to amend the *Crimes (Sentencing Procedure) Act 1999* with respect to sentencing for crimes committed against public transport workers and community workers.

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*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*Chairman of Committees of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Crimes (Sentencing Procedure) Amendment Act 2006*.

**2 Commencement**

This Act commences on the date of assent to this Act.

**3 Amendment of Crimes (Sentencing Procedure) Act 1999 No 92**

The *Crimes (Sentencing Procedure) Act 1999* is amended as set out in Schedule 1.

**4 Repeal of Act**

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of the operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

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## Schedule 1 Amendments

(Section 3)

**[1] Section 21A Aggravating, mitigating and other factors in sentencing**

Omit “the victim’s occupation” from section 21A (2) (a).

Insert instead “the victim’s occupation or voluntary work”.

**[2] Section 21A (2) (l)**

Insert “, bus driver or other public transport worker” after “taxi driver”.

**[3] Part 4, Division 1A, Table**

Omit “the victim’s occupation” from Item No 1A.

Insert instead “the victim’s occupation or voluntary work”.

**[4] Schedule 2 Savings, transitional and other provisions**

Insert at the end of clause 1 (1):

*Crimes (Sentencing Procedure) Amendment Act 2006*

**[5] Schedule 2, Part 15**

Insert at the end of the Schedule:

### **Part 15 Provisions consequent on enactment of Crimes (Sentencing Procedure) Amendment Act 2006**

**55 Existing offences and proceedings**

The amendments made to this Act by the *Crimes (Sentencing Procedure) Amendment Act 2006* apply to the determination of a sentence for an offence whenever committed, unless:

- (a) the court has convicted the person being sentenced of the offence, or

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Schedule 1 Amendments

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- (b) a court has accepted a plea of guilty and the plea has not been withdrawn,  
before the commencement of that Act.