

NORTHERN TERRITORY OF AUSTRALIA

PAROLE ACT

As in force at 13 November 2014

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 13 November 2014

PAROLE ACT

An Act relating to sentences of imprisonment imposed on, and the release on parole of, certain persons found guilty of offences

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Parole Act*.

2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3 Interpretation

(1) In this Act:

appointed member means a member of the Board appointed under section 3B(2).

approved monitoring device, see section 164 of the *Correctional Services Act*.

Chairperson means the Chairperson of the Board under section 3C.

court means the Supreme Court or a court of summary jurisdiction.

minimum term of imprisonment means that part of a term of imprisonment to which a person has been sentenced by a court that is fixed by the court as the period during which the person is not eligible to be released on parole.

offence means an offence against a law (other than a Commonwealth Act or regulations under a Commonwealth Act) in force in the Territory.

offender means a person convicted of an offence against a law (other than a Commonwealth Act or regulations under a Commonwealth Act) in force in the Territory.

parole order means an order made under section 5(2) and, if such an order has been amended, means the order as amended.

police officer means:

- (a) a member of the Police Force of the Territory; or
- (b) a member of the Australian Federal Police.

prisoner, see section 6 of the *Correctional Services Act*.

probation and parole officer, see section 4 of the *Correctional Services Act*.

the Board means the Parole Board of the Northern Territory established under this Act.

the parole period, in relation to a person who is released from the custody of the Commissioner of Correctional Services on parole under section 5, means the period that:

- (a) commences on the day on which the person is released from custody; and
 - (b) ends on the day on which the term of imprisonment to which that person was sentenced expires, or, if the parole order in relation to the person is revoked or cancelled, on the date of the revocation or cancellation.
- (3) For this Act, a person is taken to have served a term of imprisonment:
- (a) when the person is discharged from imprisonment; or
 - (b) when the person would, but for the fact that the person is serving another term of imprisonment, have been discharged from imprisonment.

Part 2 Administrative matters

Division 1 Parole Board

3A Parole Board established

For this Act, there is a board to be known as the Parole Board of the Northern Territory.

3B Membership of Board

- (1) The Board must have 18 members who are to be:
 - (a) the Chief Justice or another Judge of the Supreme Court nominated by the Chief Justice; and
 - (b) the Commissioner of Correctional Services; and
 - (c) 2 police officers nominated by the Commissioner of Police; and
 - (d) 2 persons, each of whom is:
 - (i) a medical practitioner; or
 - (ii) a person registered under the Health Practitioner Regulation National Law to practise in the psychology profession (other than as a student); and
 - (e) 2 persons, each of whom represents the interests of victims of crime; and
 - (f) 10 persons who reflect, as closely as possible, the composition of the community at large and include women and Aboriginals and Torres Strait Islanders.
- (2) A member mentioned in subsection (1)(d), (e) or (f):
 - (a) is to be appointed in writing by the Administrator; and
 - (b) holds office for 3 years commencing on the date of appointment; and
 - (c) is eligible for re-appointment.
- (3) The validity of a decision or direction of the Board is not affected by a vacancy in the membership of the Board.

3C Chairperson of Board

The member mentioned in section 3B(1)(a) is the Chairperson of the Board.

3D Appointment of persons to act as appointed members

- (1) The Minister may appoint a person to act as an appointed member:
 - (a) during a vacancy in the office of the member, whether or not an appointment has previously been made to the office; or
 - (b) during any period, or during all periods, when the member is for any reason unable to perform the functions of the office.
- (2) A person appointed to act under subsection (1) during a vacancy in an office must not act in that office continuously for more than 12 months.
- (3) A person is not to be appointed to act under subsection (1) as an appointed member mentioned in section 3B(1)(d), (e) or (f) unless the person is eligible to be appointed as such a member.
- (4) Anything done by or in relation to a person purporting to act in pursuance of an appointment under subsection (1) is not invalid on the ground:
 - (a) the appointment was ineffective or had ceased to have effect; or
 - (b) the occasion to act had not arisen or had ceased.

3E Resignation of appointed members

An appointed member may resign his or her office by writing signed by the member and given to the Minister.

3EA Removal from office of appointed members

- (1) The Administrator must terminate the appointment of an appointed member mentioned in section 3B(1)(d), (e) or (f) if the member ceases to be eligible for appointment as such a member.
- (2) The Administrator may terminate the appointment of an appointed member for inability, inefficiency, misconduct, or physical or mental incapacity.

3EB Constitution of Board for different matters

- (1) For a matter relating to a prisoner who is serving a term of imprisonment for life for the crime of murder, the Board is constituted by:
 - (a) the Chairperson; and
 - (b) the Commissioner of Correctional Services; and
 - (c) 8 other members of the Board nominated by the Chairperson:
 - (i) one of whom must be a member mentioned in section 3B(1)(c); and
 - (ii) one of whom must be a member mentioned in section 3B(1)(d); and
 - (iii) one of whom must be a member mentioned in section 3B(1)(e); and
 - (iv) 5 of whom must be members mentioned in section 3B(1)(f).
- (2) For a matter relating to any other prisoner, the Board is constituted by:
 - (a) the Chairperson; and
 - (b) the Commissioner of Correctional Services; and
 - (c) 4 other members of the Board nominated by the Chairperson:
 - (i) one of whom must be a member mentioned in section 3B(1)(c); and
 - (ii) one of whom must be a member mentioned in section 3B(1)(e); and
 - (iii) 2 of whom must be members mentioned in section 3B(1)(f); and
 - (d) if the Chairperson considers it desirable – one other member of the Board nominated by the Chairperson who must be a member mentioned in section 3B(1)(d).
- (3) For any other matter, the Board is constituted by all members of the Board.

3F Meetings of Board

- (1) The Board must meet as often as the Chairperson thinks necessary.
- (2) A meeting of the Board must be convened by the Chairperson, or by the Secretary to the Board on the direction of the Chairperson, by notice in writing to the other members of the Board, and must be held at the time and place specified in the notice.
- (3) The Chairperson must preside at all meetings of the Board.
- (4) At a meeting of the Board, a quorum is constituted by the following members present in person or by proxy appointed under section 3FA:
 - (a) for a matter relating to a prisoner who is serving a term of imprisonment for life for the crime of murder – the Chairperson and 7 other members;
 - (b) for a matter relating to any other prisoner – the Chairperson and 3 other members;
 - (c) for any other matter – the Chairperson and 9 other members.
- (5) At a meeting of the Board:
 - (a) questions of law are to be determined by the Chairperson; and
 - (b) questions (other than questions of law) concerning the release on parole of a prisoner who is serving a term of imprisonment for life for the crime of murder are to be determined by a unanimity of votes; and
 - (c) all other questions are to be determined by a majority of votes.
- (6) The Chairperson has a deliberative vote and, in the event of an equality of votes on a question to be determined by a majority of votes, also has a casting vote.
- (7) The Secretary to the Board must keep a record of its proceedings.
- (8) Subject to this Act, the procedure at meetings of the Board must be as the Board determines.

3FA Appointment of proxy by Commissioner of Correctional Services

- (1) If the Commissioner of Correctional Services is unable to attend a meeting of the Board, the Commissioner may appoint a person (excluding another member of the Board) to attend and vote at the meeting as the Commissioner's proxy.
- (2) The appointment of the proxy must be in writing given to the Chairperson before the meeting.

3G Chairperson may require attendance of prisoner

Where, at a meeting of the Board, a matter relating to a prisoner is to be discussed, the Chairperson may, if the Chairperson considers it necessary or desirable, require the prisoner to be brought before the Board.

3GA Expert advice or opinion

In considering a matter, the Board may seek the advice or opinion of an expert on the matter.

3GB Release on parole of prisoner serving life imprisonment for murder

- (1) This section applies if the Board is considering the release on parole of a prisoner who is serving a term of imprisonment for life for the crime of murder.
- (2) The Board may invite persons to make submissions on the matter to the Board, including the following persons:
 - (a) members of the victim's family;
 - (b) if the prisoner is an Aboriginal or Torres Strait Islander who identifies with a particular community of Aboriginals or Torres Strait Islanders – representatives of that community.
- (3) In considering the matter, the Board must have regard to the principle that the public interest is of primary importance and, in doing so, must give substantial weight to the following matters:
 - (a) the protection of the community as the paramount consideration;
 - (b) the likely effect of the prisoner's release on the victim's family;

- (c) if the prisoner is an Aboriginal or Torres Strait Islander who identifies with a particular community of Aboriginals or Torres Strait Islanders – the likely effect of the prisoner's release on that community.
- (4) The Board must give reasons for any decision or direction of the Board on the matter and those reasons must be included in the record of its proceedings kept under section 3F(7).

3H Board to prepare annual report

- (1) The Board must, as soon as practicable after each 31 December, prepare and give to the Minister a report of its activities during the year ended on that date.
- (2) The Minister must table a copy of the report within 10 sitting days after receiving it.

3HA Exclusion of rules of natural justice

Subject to this Act, the rules known as the rules of natural justice (including any duty of procedural fairness) do not apply to or in relation to a decision or action of the Chairperson or direction of the Board under this Act.

3J Actions not to lie against members or probation and parole officers

- (1) An action or proceeding, whether civil or criminal, does not lie against a member of the Board or probation and parole officer for or in respect of an act or thing done in good faith by the member or probation and parole officer in his or her capacity as member or probation and parole officer, as the case may be.
- (2) An act or thing is taken to have been done in good faith if the member of the Board or probation and parole officer by whom the act or thing was done was not actuated by ill-will to the person affected or by any other improper motive.

3K Secretary to the Board

- (1) The Minister may appoint a person to be Secretary to the Board.
- (2) Subject to the directions of the Minister, the Secretary to the Board must:
 - (a) act generally as secretary to the Board; and
 - (b) record minutes of meetings of the Board; and

- (c) prepare the agenda of parole cases for each meeting of the Board at which parole cases are to be considered; and
- (d) prepare parole orders and other documents as directed by the Board; and
- (e) carry out such other duties as directed by the Board or Chairperson.

Division 2 Probation and parole officers

3R Functions of probation and parole officers

It is the duty of a probation and parole officer:

- (a) to supervise persons released on parole as assigned by the Board; and
- (aa) to supervise persons made subject to the supervision of a probation and parole officer under a non-custodial supervision order within the meaning of Part IIA of the Criminal Code; and
- (b) to prepare reports as required by the Board; and
- (c) to maintain case records and statistics as required by the Board; and
- (d) to carry out the directions of the Board in relation to a parole order; and
- (e) to investigate and make reports to the Board on the employment and place of living available to each person applying for release on parole; and
- (f) to perform such other duties as directed by the Board or Chairperson.

Part 3 Parole orders

5 Release of offenders on parole

- (2) Subject to this Act, the Board may, in its discretion, by order in writing direct that a person, being a person who is serving a term of imprisonment for an offence (the **relevant offence**) in respect of which a minimum term of imprisonment has been fixed in pursuance of this Act or the *Sentencing Act*, be released from the custody of the Commissioner of Correctional Services on parole at a time specified in the order, being a time that is after the expiration of that minimum term of imprisonment.

- (2A) A parole order cannot be made contrary to section 12(2) or 29(2) of the *Serious Sex Offenders Act*.
- (3) An order under subsection (2) in relation to a person is sufficient authority for the release of the person from a custodial correctional facility (as defined in section 11(1)(a) of the *Correctional Services Act*).
- (5) A parole order:
- (a) shall be expressed to be subject to the condition that the person to whom it relates must, during the parole period, be subject to supervision on parole under a person, for the time being, appointed in accordance with the order and must obey all reasonable directions of the person so appointed; and
 - (b) is subject to such other conditions, if any, as are specified in the order.
- (5A) Without limiting subsection (5), the parole order may be subject to either or both of the following conditions:
- (a) the condition that the person to whom the order relates must reside at a specified place;
 - (b) monitoring conditions mentioned in subsection (5C).
- (5B) However, the order must not be subject to monitoring conditions if the person to whom the order relates is not an adult unless the person was found guilty of the relevant offence by the Supreme Court.
- (5C) The following monitoring conditions are for monitoring the person's activities:
- (a) the person to whom the order relates must:
 - (i) wear or have attached an approved monitoring device while on parole or the lesser period fixed by the Board; and
 - (ii) allow the placing or installation in, and retrieval from, a specified place of anything necessary for the effective operation of the monitoring device;
 - (b) the person to whom the order relates must:
 - (i) give a sample of the person's voice for use with an approved monitoring device; and

- (ii) for the effective monitoring of the person's activities while on parole, comply with the reasonable directions of a probation and parole officer in the use of the device.
- (6) The Chairperson may, at any time before the expiration of the parole period, by order in writing:
 - (a) amend a parole order by varying or revoking a condition of the order, other than the condition referred to in subsection (5)(a), or by imposing additional conditions; or
 - (b) revoke the parole order.
- (6AA) The Chairperson may, subject to subsections (6AB) and (6A), at any time after the expiration of the parole period, where the person to whom the parole order related:
 - (a) before or after the expiration of the parole period is found guilty of an offence committed during the parole period (including an offence against a Commonwealth Act, regulations under a Commonwealth Act, or a law of a State or another Territory), and as a result of the finding of guilt is sentenced otherwise than to a term of actual imprisonment; or
 - (b) before or after the expiration of the parole period was or is proceeded against for such an offence and was or is released by the court before which the proceedings were brought (whether or not the person is found guilty) on condition as to the person's future good behaviour or any other condition; or
 - (c) failed, during the parole period, to comply with a condition of the parole order;

by order in writing, direct that the parole order be revoked and the parole order is taken to have been revoked as from the time immediately before the expiration of the parole period.
- (6AB) The Chairperson must not make an order under subsection (6AA) if, before the expiration of the parole period, the Chairperson was aware of the relevant finding of guilt, proceedings or failure.
- (6A) The Board may give directions to the Chairperson for guidance about subsection (6) or (6AA).
- (7) An amendment of a parole order under subsection (6) does not have effect until notice of the amendment is given to the person to whom the parole order relates, being notice given before the expiration of the parole period.

- (8) Subject to subsections (8A) and (8B), where a person to whom a parole order relates is sentenced to a term of imprisonment in respect of an offence committed during the parole period (including an offence against a Commonwealth Act, regulations under a Commonwealth Act, or a law of a State or another Territory), the parole order is taken to have been revoked or, if the parole period has already expired, to have been revoked as from the time immediately before the expiration of the parole period.
- (8A) Subject to subsection (8B), a parole order is not taken to be revoked where a person to whom it relates is sentenced to a term of imprisonment but is released immediately under section 40 of the *Sentencing Act*.
- (8B) Where a person is subsequently committed into the custody of the Commissioner of Correctional Services under section 15 of the *Sentencing Act*, the parole order is taken to be revoked when the person is so committed.
- (9) Where:
- (a) a parole order in relation to a person is revoked; or
 - (b) the person to whom a parole order relates has, during the parole period, whether or not the parole period has already expired, failed to comply with a condition of the parole order or there are reasonable grounds for suspecting that the person has, during that period, failed to comply with a condition of that order;
- a police officer may:
- (c) where the person is in the Territory – without warrant, arrest that person; or
 - (d) where the person is, or where there are reasonable grounds for suspecting that that person is, in a State or another Territory – with a warrant referred to in subsection (9A), arrest that person.
- (9A) For subsection (9)(d), a court may, upon application being made to it by the Director of Public Prosecutions, issue a warrant authorising a police officer to arrest a person referred to in that subsection.
- (10) Where a police officer arrests a person in pursuance of subsection (9), the police officer must, as soon as practicable, take the person before a court of summary jurisdiction.

6 Cancellation of parole by court

- (1) If a police officer arrests a person in the circumstances specified in section 5(9)(b), the court before which the person is taken may, in its absolute discretion but subject to subsection (2), cancel the parole order.
- (2) The court must not, under subsection (1), cancel a parole order unless it is satisfied that the person has failed, without reasonable excuse, to comply with a condition of the parole order.
- (3) Where the court cancels a parole order and the parole period in relation to the order has already expired, the parole order is taken to have been cancelled as from the time immediately before the expiration of the parole period.

7 Issue of warrant where parole order revoked or cancelled

Where:

- (a) a person has been brought before a court of summary jurisdiction in pursuance of section 5(10); and
- (b) the court is satisfied that the parole order in relation to the person has been revoked or the court cancels the parole order in relation to the person;

the court must issue a warrant for the commitment of the person into the custody of the Commissioner of Correctional Services to serve the part of the term of imprisonment to which the parole order relates that the person has not served.

8 Remand of person

- (1) Where a person has been brought before a court of summary jurisdiction in pursuance of section 5(10), the court may defer or adjourn the hearing of the matter and may:
 - (a) by warrant from time to time remand the person into the custody of the Commissioner of Correctional Services until the time appointed for continuing the hearing; or
 - (b) grant the person bail in accordance with the *Bail Act*.

9 Release of person on bail

- (1) Where:
 - (a) a warrant has been issued in respect of a person under section 7; and

- (b) an appeal is instituted by the person in pursuance of section 10;

a court of summary jurisdiction may, on the application of the person, grant the person bail in accordance with the *Bail Act*.

- (2) Where an appeal under section 10 is allowed, a bail undertaking and any bail conditions entered into pursuant to a grant of bail under subsection (1) ceases to have effect.
- (3) Where a person has been released on bail pursuant to a grant of bail made under subsection (1), a warrant issued under section 7 in respect of the person must not, unless the person fails to comply with the person's bail undertaking or an agreement entered into by the person pursuant to a bail condition, be executed or further executed before the appeal is disposed of.

10 Appeal from decision to cancel parole order

- (1) Where a court of summary jurisdiction, in pursuance of section 6, cancels a parole order, the person to whom the order relates may appeal to the Supreme Court against the cancellation and the Supreme Court must:
- (a) if it is satisfied that the ground on which the parole order was cancelled has been established – confirm the cancellation; or
- (b) if it is not so satisfied – order that the cancellation and any warrant issued as a result of the cancellation cease to have effect.
- (2) An appeal under subsection (1) is by way of re-hearing, but the Supreme Court may have regard to any evidence given before the court of summary jurisdiction.

11 Service of term of imprisonment

Where a parole order in relation to a person is revoked or cancelled and the person is taken into custody in pursuance of this Act, the person must, during any period in which the person is in custody in pursuance of this Act, be taken to be serving the part of the term of imprisonment that remained to be served at the commencement of the parole period.

13 Release of person on parole after revocation or cancellation of previous parole order

A parole order may be made in relation to a person even if a previous parole order in relation to the person has been revoked or is taken to have been revoked, or has been cancelled.

14 Effect of parole order on sentence

- (1) Where a parole order is made in relation to a person:
- (a) the person is taken to be still under sentence of imprisonment, and not to have served the part of the term of imprisonment that remained to be served at the commencement of the parole period, until the parole period expires without the parole order being revoked or cancelled or until the person is otherwise discharged from that imprisonment; and
 - (b) if the parole period expires without the parole order being revoked or cancelled, the person is taken to have served the part of the term of imprisonment that remained to be served at the commencement of the parole period and to have been discharged from that imprisonment.
- (2) Where a parole order in relation to a person is, under section 5(6AA) or (8), taken to have been revoked as from the time immediately before the expiration of the parole period, subsection (1) has effect as if the parole period had not expired without the parole order being revoked or cancelled.
- (3) Where a parole order in relation to a person is, under section 6(3), taken to have been cancelled as from the time immediately before the expiration of the parole period, subsection (1) has effect as if the parole period had not expired without the parole order being revoked or cancelled.

15 Remission already earned before parole order revoked or cancelled

Where:

- (a) a parole order in relation to a person is revoked or cancelled under this Act; and
- (b) before the revocation or cancellation, the person had earned under a law of the Territory a period of partial remission of the sentence of imprisonment in respect of which the parole order was made;

the period so earned must, despite this or any other law of the Territory, be deducted from the term of imprisonment that remains to be served as a result of the revocation or cancellation of the parole order.

Part 4 Miscellaneous matters

16 Exercise of Royal prerogative of mercy and operation of other Commonwealth laws or Territory laws

This Act does not affect:

- (a) the exercise of the Royal prerogative of mercy; or
- (c) the operation of any other law of the Commonwealth, or of any law in force in the Territory, relating to the release of offenders.

17 Regulations

The Administrator may make regulations under this Act.

ENDNOTES
1**KEY**

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2**LIST OF LEGISLATION*****Parole of Prisoners Ordinance 1971 (Act No. 33, 1971)***

| | |
|-------------|--|
| Assent date | 16 June 1971 |
| Commenced | 10 May 1972 (<i>Gaz</i> No. 19, 10 May 1972, p 161) |

Ordinances Revision Ordinance 1973 (Act No. 87, 1973)

| | |
|-------------|----------------------------|
| Assent date | 11 December 1973 |
| Commenced | 11 December 1973 (s 12(2)) |

Amending Legislation***Ordinances Revision Ordinance 1974 (Act No. 34, 1974)***

| | |
|-------------|---------------------------|
| Assent date | 26 August 1974 |
| Commenced | 11 December 1973 (s 3(2)) |

Ordinances Revision Ordinance (No. 2) 1974 (Act No. 69, 1974)

| | |
|-------------|------------------------|
| Assent date | 24 October 1974 |
| Commenced | 11 December 1973 (s 3) |

Ordinances Revision Ordinance 1976 (Act No. 27, 1976)

| | |
|-------------|---|
| Assent date | 28 June 1976 |
| Commenced | ss 1, 2 and 6: 28 June 1976 (s 6(2)); ss 3 and 4: 11 December 1973; s 5: 24 October 1974 |

Parole of Prisoners Ordinance 1974 (Act No. 46, 1974)

| | |
|-------------|-------------------|
| Assent date | 23 September 1974 |
| Commenced | 23 September 1974 |

Parole of Prisoners Ordinance 1976 (Act No. 61, 1976)

| | |
|-------------|---|
| Assent date | 26 November 1976 |
| Commenced | 1 December 1976 (<i>Gaz</i> No. 48A, 30 November 1976, p 1409) |

Parole of Prisoners Ordinance 1977 (Act No. 36, 1977)

Assent date 29 July 1977
 Commenced 9 September 1977 (*Gaz No. 36, 9 September 1977, p 4*)

Transfer of Powers (Self-Government) Ordinance 1978 (Act No. 54, 1978)

Assent date 1 July 1978
 Commenced 1 July 1978 (s 8)

Law Officers Ordinance 1978 (Act No. 61, 1978)

Assent date 1 July 1978
 Commenced 1 July 1978

Statute Law Revision Act 1978 (Act No. 95, 1978)

Assent date 5 September 1978
 Commenced 5 September 1978

Parole of Prisoners Act 1979 (Act No. 100, 1979)

Assent date 3 September 1979
 Commenced 3 September 1979

Remuneration (Statutory Bodies) Act 1979 (Act No. 9, 1980)

Assent date 14 January 1980
 Commenced 8 February 1980 (*Gaz G6, 8 February 1980, p 6*)

Statute Law Revision Act (No. 3) 1981 (Act No. 91, 1981)

Assent date 21 September 1981
 Commenced 21 September 1981

Statute Law Revision Act (No. 4) 1981 (Act No. 4, 1982)

Assent date 12 February 1982
 Commenced 12 February 1982

Parole of Prisoners Amendment Act 1982 (Act No. 9, 1982)

Assent date 8 April 1982
 Commenced 8 April 1982

Parole of Prisoners Amendment Act (No. 2) 1982 (Act No. 63, 1982)

Assent date 8 October 1982
 Commenced 29 June 1983 (s 2, s 2 *Bail Act 1982 (Act No. 57, 1982)* and *Gaz S19, 29 June 1983*)

Law Officers Amendment Act (No. 2) 1986 (Act No. 48, 1986)

Assent date 10 December 1986
 Commenced 19 December 1986 (*Gaz S87, 17 December 1986*)

Parole of Prisoners Amendment Act 1987 (Act No. 52, 1987)

Assent date 16 November 1987
 Commenced 3 February 1988 (s 2, s 2 *Criminal Law (Conditional Release of Offenders) Amendment Act 1987 (Act No. 53, 1987)* and *Gaz S2, 1 February 1988*)

Parole of Prisoners Amendment Act 1989 (Act No. 37, 1989)

Assent date 20 September 1989
 Commenced 1 November 1989 (*Gaz G43, 1 November 1989, p 7*)

Director of Public Prosecutions (Consequential Amendments) Act 1990 (Act No. 29, 1990)

Assent date 11 June 1990
 Commenced 21 January 1991 (s 2, s 2 *Director of Public Prosecutions Act 1990* (Act No. 35, 1990) and *Gaz G2*, 16 January 1991, p 9)

Statute Law Revision Act 1994 (Act No. 50, 1994)

Assent date 20 September 1994
 Commenced 20 September 1994

Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)

Assent date 19 April 1996
 Commenced s 7: 19 April 1996; rem: 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz S15*, 13 June 1996)

Parole of Prisoners Amendment Act 1997 (Act No. 8, 1997)

Assent date 26 March 1997
 Commenced 26 March 1997

Parole of Prisoners Amendment Act 2002 (Act No. 13, 2002)

Assent date 7 June 2002
 Commenced 15 June 2002 (s 2 *Criminal Code Amendment (Mental Impairment and Unfitness to be Tried) Act 2002* (Act No. 11, 2002))

Sentencing (Crime of Murder) and Parole Reform Act 2003 (Act No. 3, 2004)

Assent date 7 January 2004
 Commenced 11 February 2004 (*Gaz G6*, 11 February 2004, p 2)

Statute Law Revision Act (No. 2) 2004 (Act No. 54, 2004)

Assent date 15 September 2004
 Commenced 27 October 2004 (*Gaz G43*, 27 October 2004, p 3)

Statute Law Revision Act 2005 (Act No. 44, 2005)

Assent date 14 December 2005
 Commenced 14 December 2005

Justice (Corrections) and Other Legislation Amendment Act 2011 (Act No. 24, 2011)

Assent date 31 August 2011
 Commenced ss 3, 9 to 11, 15 to 17, 19, 20, 24, 33, 42, schs 1 and 2, sch 4 pt 1 and sch 5: 31 August 2011 (s 2); rem: 27 February 2012 (*Gaz S9*, 21 February 2012)

Statute Law Revision Act 2011 (Act No. 30, 2011)

Assent date 31 August 2011
 Commenced 21 September 2011 (*Gaz G38*, 21 September 2011, p 5)

Criminal Justice Legislation Amendment Act 2011 (Act No. 32, 2011)

Assent date 15 November 2011
 Commenced 15 February 2012 (*Gaz G7*, 15 February 2012, p 6)

Health Practitioner (National Uniform Legislation) Implementation Act 2012 (Act No. 17, 2012)

Assent date 22 May 2012
 Commenced 1 July 2012 (s 2)

Serious Sex Offenders Act 2013 (Act No. 9, 2013)

Assent date 3 May 2013
 Commenced 1 July 2013 (*Gaz G24*, 12 June 2013, p 2)

Parole of Prisoners Amendment Act 2013 (Act No. 40, 2013)

Assent date 19 December 2013
 Commenced 15 January 2014 (*Gaz G2*, 15 January 2014, p 2)

Correctional Services (Related and Consequential Amendments) Act 2014 (Act No. 27, 2014)

Assent date 4 September 2014
 Commenced 9 September 2014 (*Gaz S80*, 9 September 2014, p 2)

Parole Amendment Act 2014 (Act No. 37, 2014)

Assent date 13 November 2014
 Commenced 13 November 2014

3 SAVINGS AND TRANSITIONAL PROVISIONS

s 5 *Parole of Prisoners Ordinance 1976* (Act No. 61, 1976)
 s 4 *Parole of Prisoners Ordinance 1977* (Act No. 36, 1977)
 s 6 *Parole of Prisoners Act 1979* (Act No. 100, 1979)
 s 6 *Parole of Prisoners Amendment Act 1997* (Act No. 8, 1997)
 pt 5 *Sentencing (Crime of Murder) and Parole Reform Act 2003* (Act No. 3, 2004)

4 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Ordinances Revision Ordinance 1973* (Act No. 87, 1973) (as amended) to the following provisions: ss 3, 5, 6, 7, 8, 9, 10, 12, 14, and 16.

5 LIST OF AMENDMENTS

| | |
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| It | amd No. 91, 1981, s 2; No. 17, 1996, s 6 |
| pt 1 hdg | ins No. 24, 2011, s 15 |
| s 1 | amd No. 91, 1981, s 2; No. 27, 2014, s 25 |
| s 2 | amd No. 91, 1981, s 2 |
| s 3 | amd No. 61, 1976, s 6; No. 100, 1979, ss 3 and 5; No. 91, 1981, s 2; No. 3, 2004, s 11; No. 54, 2004, s 7; No. 30, 2011, s 3; No. 24, 2011, ss 12 and 15; No. 27, 2014, s 27 |
| pt 2 hdg | ins No. 24, 2011, s 15 |
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| div 1 hdg | ins No. 24, 2011, s 15 |
| s 3A hdg | sub No. 24, 2011, s 15 |
| s 3A | ins No. 61, 1976, s 7 amd No. 91, 1981, s 2; No. 30, 2011, s 3 |
| s 3B | ins No. 61, 1976, s 7 amd No. 36, 1977, s 8; No. 54, 1978, s 3; No. 91, 1981, s 2; No. 37, 1989, s 4 sub No. 3, 2004, s 12 amd No. 44, 2005, s 22; No. 30, 2011, s 3; No. 17, 2012, s 55; No. 40, 2013, s 4; No. 27, 2014, s 27 |

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| s 3C | ins No. 61, 1976, s 7 amd No. 91, 1981, s 2 sub No. 3, 2004, s 12 amd No. 30, 2011, s 3; No. 40, 2013, s 9 |
| s 3D | ins No. 61, 1976, s 7 amd No. 36, 1977, s 5 rep No. 9, 1980, s 6 ins No. 3, 2004, s 12 amd No. 40, 2013, s 9 |
| s 3E | ins No. 61, 1976, s 7 amd No. 36, 1977, s 8; No. 54, 1978, s 3 sub No. 3, 2004, s 12 |
| s 3EA | ins No. 3, 2004, s 12 amd No. 40, 2013, s 9 |
| s 3EB | ins No. 3, 2004, s 12 amd No. 30, 2011, s 3 sub No. 40, 2013, s 5 amd No. 27, 2014, s 27; No. 37, 2014, s 3 |
| s 3F | ins No. 61, 1976, s 7 amd No. 91, 1981, s 2; No. 3, 2004, s 13; No. 30, 2011, s 3; No. 40, 2013, s 6 |
| s 3FA | ins No. 40, 2013, s 7 amd No. 27, 2014, s 27 |
| s 3G | ins No. 61, 1976, s 7 amd No. 30, 2011, s 3 |
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| s 3H | ins No. 61, 1976, s 7 amd No. 36, 1977, s 8; No. 54, 1978, s 3; No. 3, 2004, s 15; No. 30, 2011, s 3 |
| s 3HA | ins No. 37, 1989, s 5 amd No. 30, 2011, s 3 |
| s 3J | ins No. 61, 1976, s 7 amd No. 30, 2011, s 3; No. 27, 2014, s 27 |
| s 3K | ins No. 61, 1976, s 7 amd No. 36, 1977, ss 6 and 8; No. 54, 1978, s 3; No. 30, 2011, s 3; No. 40, 2013, s 8 |
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| div 2 hdg | ins No. 24, 2011, s 15 amd No. 27, 2014, s 27 |
| ss 3L – 3N | ins No. 61, 1976, s 7 rep No. 36, 1977, s 7 |
| s 3P hdg | sub No. 24, 2011, s 15 |
| s 3P | ins No. 61, 1976, s 7 amd No. 36, 1977, s 8; No. 54, 1978, s 3; No. 91, 1981, s 2; No. 54, 2004, s 7; No. 30, 2011, s 3 rep No. 27, 2014, s 26 |
| s 3Q | ins No. 61, 1976, s 7 amd No. 30, 2011, s 3 rep No. 27, 2014, s 26 |
| s 3R | ins No. 61, 1976, s 7 amd No. 13, 2002, s 3; No. 30, 2011, s 3; No. 9, 2013, s 123; No. 27, 2014, s 27 |
| s 4 | sub No. 61, 1976, s 8 amd No. 61, 1978, s 4; No. 91, 1981, s 2; No. 48, 1986, s 9; No. 52, 1987, s 3; No. 29, 1990, s 7 rep No. 17, 1996, s 6 ins No. 24, 2011, s 13 rep No. 27, 2014, s 26 |
| pt 3 hdg | ins No. 24, 2011, s 15 |

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- s 4A ins No. 61, 1976, s 8
rep No. 17, 1996, s 6
- s 5 amd No. 61, 1976, s 9; No. 100, 1979, ss 4 and 5; No. 91, 1981, s 2; No. 9,
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s 124; No. 27, 2014, s 27
- s 6 amd No. 100, 1979, s 5; No. 9, 1982, s 4; No. 37, 1989, s 7; No. 8, 1997, s 4;
No. 30, 2011, s 3; No. 24, 2011, s 15
- s 7 amd No. 100, 1979, s 5; No. 30, 2011, s 3
- s 8 amd No. 100, 1979, s 5; No. 63, 1982, s 4; No. 27, 2014, s 27
- s 9 amd No. 63, 1982, s 5; No. 30, 2011, s 3
- s 10 amd No. 30, 2011, s 3
- s 11 amd No. 91, 1981, s 2; No. 30, 2011, s 3
- s 12 amd No. 61, 1976, s 10; No. 61, 1978, s 4; No. 100, 1979, s 5; No. 9, 1981,
s 4; No. 9, 1982, s 5; No. 48, 1986, s 9; No. 37, 1989, s 8
rep No. 17, 1996, s 6
- s 13 sub No. 61, 1976, s 11
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- s 14 amd No. 100, 1979, s 5; No. 91, 1981, s 2; No. 37, 1989, s 9; No. 8, 1997,
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- s 15 sub No. 46, 1974, s 3
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- pt 4 hdg ins No. 24, 2011, s 15
- s 16 amd No. 4, 1982, s 3; No. 30, 2011, s 3; No. 24, 2011, s 15
- s 17 amd No. 95, 1978, s 14; No. 91, 1981, s 2; No. 30, 2011, s 3