

NORTHERN TERRITORY OF AUSTRALIA
SENTENCING AMENDMENT ACT (NO. 4) 2001

No. 66 of 2001

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NORTHERN TERRITORY OF AUSTRALIA

No. 66 of 2001

AN ACT

to amend the *Sentencing Act*

[Assented to 21 December 2001]

[Second reading 18 October 2001]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Sentencing Amendment Act (No. 4) 2001*.

2. Principal Act

The *Sentencing Act* is in this Act referred to as the Principal Act.

3. Breach of order for release on bond

Section 15 of the Principal Act is amended by inserting after subsection (3) the following:

"(3AA) A member of the Police Force who suspects, on reasonable grounds, that an offender has failed to comply with a condition of an order made under section 11 or 13 may, without warrant, arrest the offender.

"(3AB) For the purposes of the application of sections 137 and 138 of the *Police Administration Act*, a failure to comply with a condition of an order made under section 11 or 13 is to be taken to be an offence."

4. Breach of order suspending sentence

Section 43 of the Principal Act is amended by inserting after subsection (4) the following:

"(4AA) A member of the Police Force who suspects, on reasonable grounds, that an offender has breached a condition to which an order suspending a sentence imposed on the offender is subject may, without warrant, arrest the offender.

"(4AB) For the purposes of the application of sections 137 and 138 of the *Police Administration Act*, a breach of a condition to which an order suspending a sentence imposed on an offender is subject is to be taken to be an offence."

5. Release by Administrator in exercise of prerogative of mercy

Section 115 of the Principal Act is amended by inserting after subsection (4) the following:

"(4A) A member of the Police Force who suspects, on reasonable grounds, that a person who gave an undertaking under subsection (1)(a) has breached a condition of the undertaking may, without warrant, arrest the person.

"(4B) For the purposes of the application of sections 137 and 138 of the *Police Administration Act*, a breach of a condition of an undertaking given under subsection (1)(a) is to be taken to be an offence."