

Serial 304
Sentencing Amendment Bill 2001
Mr Burke

**A BILL
for
AN ACT**

to amend the *Sentencing Act*



NORTHERN TERRITORY OF AUSTRALIA
SENTENCING AMENDMENT ACT 2001

No. of 2001

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NORTHERN TERRITORY OF AUSTRALIA

No. of 2001

AN ACT

to amend the *Sentencing Act*

[Assented to 2001]
[Second reading 2001]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Sentencing Amendment Act 2001*.

2. Commencement

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. Principal Act

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

4. Fixing of non-parole period by sentencing court

Section 53 of the Principal Act is amended by omitting from subsection (1) "and 55" and substituting ", 55 and 55A".

5. New section

The Principal Act is amended by inserting after section 55 the following:

"55A. Fixed non-parole period for offences against persons under 16 years of age

"(1) Subject to this section, if –

- (a) a court sentences an offender to be imprisoned for an offence against section 127, 128, 129, 130, 131, 131A, 132, 134, 177(a), 181, 184, 186, 186B, 188 or 192(4) of the Criminal Code;
- (b) the offender was an adult when the offence was committed;
- (c) the offence was committed on a person who was under the age of 16 years; and
- (d) the sentence is not suspended in whole or in part,

the court must fix a period under section 53(1) of not less than 70% of the period of imprisonment that the offender is to serve under the sentence.

"(2) Subsection (1) does not apply where under section 53(1) the court considers that the fixing of a non-parole period is inappropriate."

6. Fixing of new non-parole period in respect of multiple sentences

Section 57 of the Principal Act is amended by omitting from subsection (2)(c) "or 55" and substituting ", 55 or 55A".
