

Serial 53  
Parole of Prisoners Amendment Bill 2013  
Mr Elferink

A Bill for an Act to amend the *Parole of Prisoners Act*

NORTHERN TERRITORY OF AUSTRALIA

PAROLE OF PRISONERS AMENDMENT ACT 2013

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Act No. [ ] of 2013

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2013

An Act to amend the *Parole of Prisoners Act*

[Assented to [ ] 2013]  
[Second reading [ ] 2013]

The Legislative Assembly of the Northern Territory enacts as follows:

## 1 Short title

This Act may be cited as the *Parole of Prisoners Amendment Act 2013*.

## 2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

## 3 Act amended

This Act amends the *Parole of Prisoners Act*.

## 4 Section 3B amended

### (1) Section 3B(1)

*omit*

10

*insert*

18

- 
- (2) Section 3B(1)(c)  
*omit*  
a police officer  
*insert*  
2 police officers
- (3) Section 3B(1)(d) and (e)  
*omit*  
a person who  
*insert*  
2 persons, each of whom
- (4) Section 3B(1)(f)  
*omit*  
5  
*insert*  
10
- (5) Section 3B(2)  
*omit*  
referred to  
*insert*  
mentioned

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**5 Section 3EB replaced**

Section 3EB

*repeal, insert*

**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 Director 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 Director 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).
- (3) For any other matter, the Board is constituted by all members of the Board.

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**6 Section 3F amended**

(1) Section 3F(3)

*omit*

at which the Chairperson is present

(2) Section 3F(4)

*omit, insert*

(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.

**7 Section 3FA inserted**

After section 3F

*insert*

**3FA Appointment of proxy by Director of Correctional Services**

(1) If the Director of Correctional Services is unable to attend a meeting of the Board, the Director may appoint a person (excluding another member of the Board) to attend and vote at the meeting as the Director's proxy.

(2) The appointment of the proxy must be in writing given to the Chairperson before the meeting.

**8 Section 3K amended**

Section 3K(2)(c), after "Board"

*insert*

at which parole cases are to be considered

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**9 Act further amended**

The Schedule has effect.

**10 Expiry of Act**

This Act expires on the day after it commences.

**Schedule Act further amended**

section 9

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| Provision                     | Amendment   |               |
|-------------------------------|-------------|---------------|
| sections 3C, 3D(3) and 3EA(1) | <i>omit</i> | <i>insert</i> |
|                               | referred to | mentioned     |

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