



New South Wales

Sentencing (General) Amendment (Parole Supervision) Regulation 1997

under the

Sentencing Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Sentencing Act 1989*.

BOB DEBUS, MP.,

Minister for Corrective Services

Explanatory note

The object of this Regulation is to amend the *Sentencing (General) Regulation 1996* to enable the Parole Board to extend a condition of a parole order requiring that the offender be subject to supervision if the offender is a serious offender.

This Regulation is made under the *Sentencing Act 1989*, including section 55 (the general regulation-making power) and section 27.

1997 No 152

Clause 1 Sentencing (General) Amendment (Parole Supervision) Regulation 1997

Sentencing (General) Amendment (Parole Supervision) Regulation 1997

1 Name of Regulation

This Regulation is the *Sentencing (General) Amendment (Parole Supervision) Regulation 1997*.

2 Commencement

This Regulation commences on 18 April 1997.

3 Amendment of Sentencing (General) Regulation 1996

The *Sentencing (General) Regulation 1996* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Insert in alphabetical order:

serious offender has the same meaning as in Part 10 of the *Correctional Centres Act 1952*.

[2] Clause 10 Terms and conditions: sec 27

Omit “, not being a period which extends for more than 3 years after the date on which the offender is released in accordance with the order” from clause 10 (2).

[3] Clause 10A

Insert after clause 10:

10A Imposition and extension of supervision conditions

- (1) A term or condition of a parole order must not require the offender to be subject to supervision for a period of more than 3 years after the date on which the offender is released in accordance with the order.
- (2) The Board may, before the expiration of a period of supervision required by a term or condition of a parole order, vary the term or condition so as to extend the period of supervision for a further period of up to 3 years but only if the offender is a serious offender.
- (3) The Board may vary a term or condition in accordance with this clause more than once.
- (4) Subclauses (2) and (3) do not apply to parole orders made before the commencement of this clause.

[4] Schedule 1 Forms

Omit “released from parole” from Form 1.
Insert instead “released on parole”.

1997 No 152

Sentencing (General) Amendment (Parole Supervision) Regulation 1997

Schedule 1 Amendments

[5] **Schedule 1, Form 2**

Omit for a period of 3 years from the date of release (whichever is the lesser)” from paragraph 4.

[6] **Schedule 1, Form 3**

Omit “until the order ceases to have effect or for a period of 3 years from the date of release (whichever is the lesser)” from paragraph 4.
Insert instead “*until/*until the order ceases to have effect or for a period of 3 years from the date of release (whichever is the lesser).

[7] **Schedule 1, Form 3**

Insert at the end of paragraph 4:

Note. The period of supervision specified in paragraph 4 must not be longer than the duration of the order or 3 years, whichever is the lesser. However, the period of supervision of a serious offender may be extended by an order of the Parole Board in accordance with the *Sentencing (General) Regulation 1996*.