

JUSTICES (SENTENCING) AMENDMENT ACT 1988 No. 26

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
 2. Commencement
 3. Amendment of Justices Act 1902 No. 27
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JUSTICES (SENTENCING) AMENDMENT ACT 1988 No. 26

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Act No. 26, 1988

An Act to amend the Justices Act 1902 with respect to sentences of imprisonment. [Assented to 6 July 1988]

Justices (Sentencing) Amendment 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Justices (Sentencing) Amendment Act 1988.

Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Justices Act 1902 No. 27

3. The Justices Act 1902 is amended by inserting after section 80AA the following section:

Restriction on imposing sentences of imprisonment

80AB. (1) A Justice or Justices shall not sentence a person to full-time imprisonment unless satisfied, having considered all possible alternatives, that no other course is appropriate.

(2) A Justice or Justices shall—

- (a) when sentencing a person to imprisonment—state that, before imposing the sentence, all possible alternatives were considered; and
- (b) if the regulations so provide—record the statement as prescribed by the regulations.

(3) A sentence is not invalidated by a failure to comply with this section.
