



New South Wales

Crimes (Administration of Sentences) Amendment (Parole Supervision of Serious Sex Offenders) Regulation 2019

under the

Crimes (Administration of Sentences) Act 1999

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Administration of Sentences) Act 1999*.

DAVID ELLIOTT, MP
Minister for Corrections

Explanatory note

The object of this Regulation is to amend the *Crimes (Administration of Sentences) Regulation 2014* to impose additional obligations relating to electronic monitoring on offenders who are on parole and serving a sentence for a serious sex offence.

This Regulation is made under the *Crimes (Administration of Sentences) Act 1999*, including sections 128B, 128C and 271 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Crimes (Administration of Sentences) Amendment (Parole Supervision of Serious Sex Offenders) Regulation 2019*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Crimes (Administration of Sentences) Regulation 2014

[1] Clause 214A (1A)

Insert after clause 214A (1):

- (1A) For the purposes of sections 128B (2) (a) and 128C (1) of the Act, an offender who is subject to a supervision condition and serving a sentence for a serious sex offence (within the meaning of the *Crimes (High Risk Offenders) Act 2006*) has the following additional obligations:
- (a) to submit a schedule of proposed activities for approval by a community corrections officer if directed to do so by a community corrections officer,
 - (b) to submit to electronic monitoring,
 - (c) to comply with all reasonable directions of a community corrections officer or an electronic monitoring officer in relation to the electronic monitoring of the offender,
 - (d) not to remove or tamper with, damage or disable the electronic monitoring equipment.

[2] Schedule 6 Savings and transitional provisions

Insert after clause 6:

7 Conditions of parole for existing serious sex offenders

- (1) Clause 214A (1A), as inserted by the *Crimes (Administration of Sentences) Amendment (Parole Supervision of Serious Sex Offenders) Regulation 2019*, does not apply to an offender who had been released under a parole order and was subject to a supervision condition (within the meaning of clause 214A) immediately before the commencement of that Regulation.
- (2) However, clause 214A (1A) does apply to the offender if the offender is released under a parole order after the commencement of that Regulation.