



New South Wales

# Crimes (Administration of Sentences) Amendment (Miscellaneous) Regulation 2021

under the

Crimes (Administration of Sentences) Act 1999

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

ANTHONY ROBERTS, MP  
Minister for Counter Terrorism and Corrections

## Explanatory note

The objects of this Regulation are to—

- (a) enable a correctional officer or other person having supervision of an inmate to require the inmate to undergo a breath test whether or not the inmate is suspected of having recently consumed or being under the influence of alcohol or another intoxicating substance, and
- (b) include additional positions in the rankings of correctional officers and departmental officers employed in the Corrective Services Industries Branch of Corrective Services NSW.

This Regulation is made under the *Crimes (Administration of Sentences) Act 1999*, including sections 79(1)(v), 234(5) and 271 (the general regulation-making power).

## **Crimes (Administration of Sentences) Amendment (Miscellaneous) Regulation 2021**

under the

Crimes (Administration of Sentences) Act 1999

### **1 Name of Regulation**

This Regulation is the *Crimes (Administration of Sentences) Amendment (Miscellaneous) Regulation 2021*.

### **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 157, heading**

Omit the heading. Insert instead—

**157 Breath testing whether or not alcohol or intoxicating substance use suspected**

**[2] Clause 157(1)**

Omit “On forming a suspicion that an inmate has recently consumed or is under the influence of alcohol or any other intoxicating substance, a”.

Insert instead “A”.

**[3] Clause 157(3)**

Insert after the note to clause 157(2)—

- (3) An inmate may be required to undergo a breath test under this clause even though the inmate may not be reasonably suspected of having recently consumed or being under the influence of alcohol or another intoxicating substance.

**[4] Clause 316 Order of ranking of correctional and other officers**

Insert “Deputy Commissioner” before “Assistant Commissioner” in clause 316(1).

**[5] Clause 316(2)**

Insert the following before “Manager of Industries (Level 1) and Principal Industries Officer (Level 1)”—

Regional Business Manager  
Operations Manager

**[6] Clause 316(2)**

Insert “Chief Industries Officer” before “Senior Overseer”.