



New South Wales

Crimes (Sentencing Procedure) Amendment (Council Law Enforcement Officers) Bill 2009

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

Currently, section 21A of the *Crimes (Sentencing Procedure) Act 1999* (*the Principal Act*) sets out aggravating and mitigating factors that are to be taken into account by a court when determining the appropriate sentence in respect of an offence. For that purpose, it is an aggravating factor for an offence if, among other things, the victim of the offence was a police officer or other public or community official or worker listed in that section and the offence arose because of the victim's occupation or work. Division 1A of Part 4 of the Principal Act also currently provides that the murder of a similar official or worker carries a standard non-parole period of imprisonment for 25 years.

The object of this Bill is to amend the Principal Act to specifically include council law enforcement officers in the list of officials or workers in those provisions of the Principal Act.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 (1) amends section 21A of the Principal Act to give effect to the object outlined in the above Overview.

Clause 3 (2) amends the Table to Division 1A of Part 4 of the Principal Act to give effect to the object outlined in the above Overview.

First print



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No. , 2009

A Bill for

An Act to amend the *Crimes (Sentencing Procedure) Act 1999* to make provision in relation to the sentencing of offenders where the victim was a council law enforcement officer.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Crimes (Sentencing Procedure) Amendment (Council Law Enforcement Officers) Act 2009</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6
3 Amendment of Crimes (Sentencing Procedure) Act 1999 No 92	7
(1) Section 21A Aggravating, mitigating and other factors in sentencing	8
Insert “, council law enforcement officer” after “judicial officer” in section 21A (2) (a).	9 10
(2) Part 4 Sentencing procedures for imprisonment	11
Insert “, council law enforcement officer” after “judicial officer” in the matter relating to Item No 1A in the Table to Division 1A.	12 13