



New South Wales

# Crimes (Sentencing Procedure) Amendment Bill 2025

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *Crimes (Sentencing Procedure) Act 1999* as follows—

- (a) to extend the circumstances in which a 25% sentence reduction may apply to an offender who has made an earlier guilty plea offer for a different offence,
- (b) to require a court to take into account whether the offender had a reasonable opportunity to obtain legal advice and instruct a legal representative when determining whether the earlier guilty plea offer was made as soon as practicable after the offender was found fit to be tried.

## 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.

## Schedule 1      **Amendment of Crimes (Sentencing Procedure) Act 1999 No 92**

**Schedule 1[1] and [2]** amend the *Crimes (Sentencing Procedure) Act 1999* as set out in the overview.



New South Wales

# Crimes (Sentencing Procedure) Amendment Bill 2025

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*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

## **Crimes (Sentencing Procedure) Amendment Bill 2025**

No , 2025

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### **A Bill for**

An Act to amend the *Crimes (Sentencing Procedure) Act 1999* in relation to sentencing discounts.

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*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

*Clerk of the Parliaments*

**Tabling copy**

<b>The Legislature of New South Wales enacts—</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Crimes (Sentencing Procedure) Amendment Act 2025</i> .	3
<b>2 Commencement</b>	4
This Act commences on the date of assent to this Act.	5

<b>Schedule 1</b>	<b>Amendment of Crimes (Sentencing Procedure)</b>	1
	<b>Act 1999 No 92</b>	2
<b>[1]</b>	<b>Section 25E Sentencing discounts to apply in certain cases where guilty plea offer made for different offences and refused when made</b>	3
		4
	Omit “made before the offender was committed for trial,” from section 25E(3)(a).	5
	Insert instead—	6
	made—	7
	(i) before the offender was committed for trial, or	8
	(ii) for an offender found fit to be tried after being committed for trial and whose matter was not remitted to a Magistrate for continued committal proceedings—as soon as practicable after the offender was found fit to be tried,	9
		10
		11
		12
<b>[2]</b>	<b>Section 25E(4)</b>	13
	Insert after section 25E(3)—	14
	(4) In determining, for the purposes of subsection (3)(a)(ii), whether the offer was made by the offender as soon as practicable after the offender was found fit to be tried, the court must take into account whether the offender had a reasonable opportunity to obtain legal advice and instruct a legal representative.	15
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