

LEGISLATIVE COUNCIL

Crimes (Administration of Sentences) Amendment Bill

Schedule of the amendment agreed to in Committee of the Whole
on Wednesday 12 June 2002.

AD

Page 2. Insert after line 10:

4 Monitoring of amendments by Ombudsman

(1) In this section:

the relevant provisions means:

- (a) the provisions of the *Crimes (Administration of Sentences) Act 1999* amended by this Act, and
 - (b) the provisions of the *Summary Offences Act 1988* amended or inserted by the *Summary Offences Amendment (Places of Detention) Act 2002*.
- (2) For the period of 2 years after the commencement of this section, the Ombudsman is to keep under scrutiny the operation of the relevant provisions.
- (3) For that purpose, the Ombudsman may require the Department of Corrective Services or the Attorney General's Department to provide information concerning the Department's participation in the operation of the relevant provisions.
- (4) The Ombudsman must, as soon as practicable after the expiration of that 2 year period, prepare a report as to the operation and effect of the relevant provisions and furnish a copy of the report to the Minister for Corrective Services and the Attorney General.
- (5) The Ombudsman may identify, and include recommendations in the report to be considered by the Minister for Corrective Services and the Attorney General about, amendments that might appropriately be made to the relevant provisions with respect to the operation of those provisions.

- (6) The Minister for Corrective Services is to lay (or cause to be laid) a copy of any report made or furnished to the Minister under this section before both Houses of Parliament as soon as practicable after the Minister receives the report.
- (7) If a House of Parliament is not sitting when the Minister for Corrective Services seeks to furnish a report to it, the Minister may present copies of the report to the Clerk of the House concerned.
- (8) The report:
 - (a) on presentation and for all purposes is taken to have been laid before the House, and
 - (b) may be printed by authority of the Clerk of the House, and
 - (c) if printed by authority of the Clerk is for all purposes taken to be a document published by or under the authority of the House, and
 - (d) is to be recorded:
 - (i) in the case of the Legislative Council, in the Minutes of the Proceedings of the Legislative Council, and
 - (ii) in the case of the Legislative Assembly, in the Votes and Proceedings of the Legislative Assembly,on the first sitting day of the House after receipt of the report by the Clerk.