

COMMUNITY SERVICE ORDERS (COMMUNITY WELFARE) AMENDMENT BILL, 1982

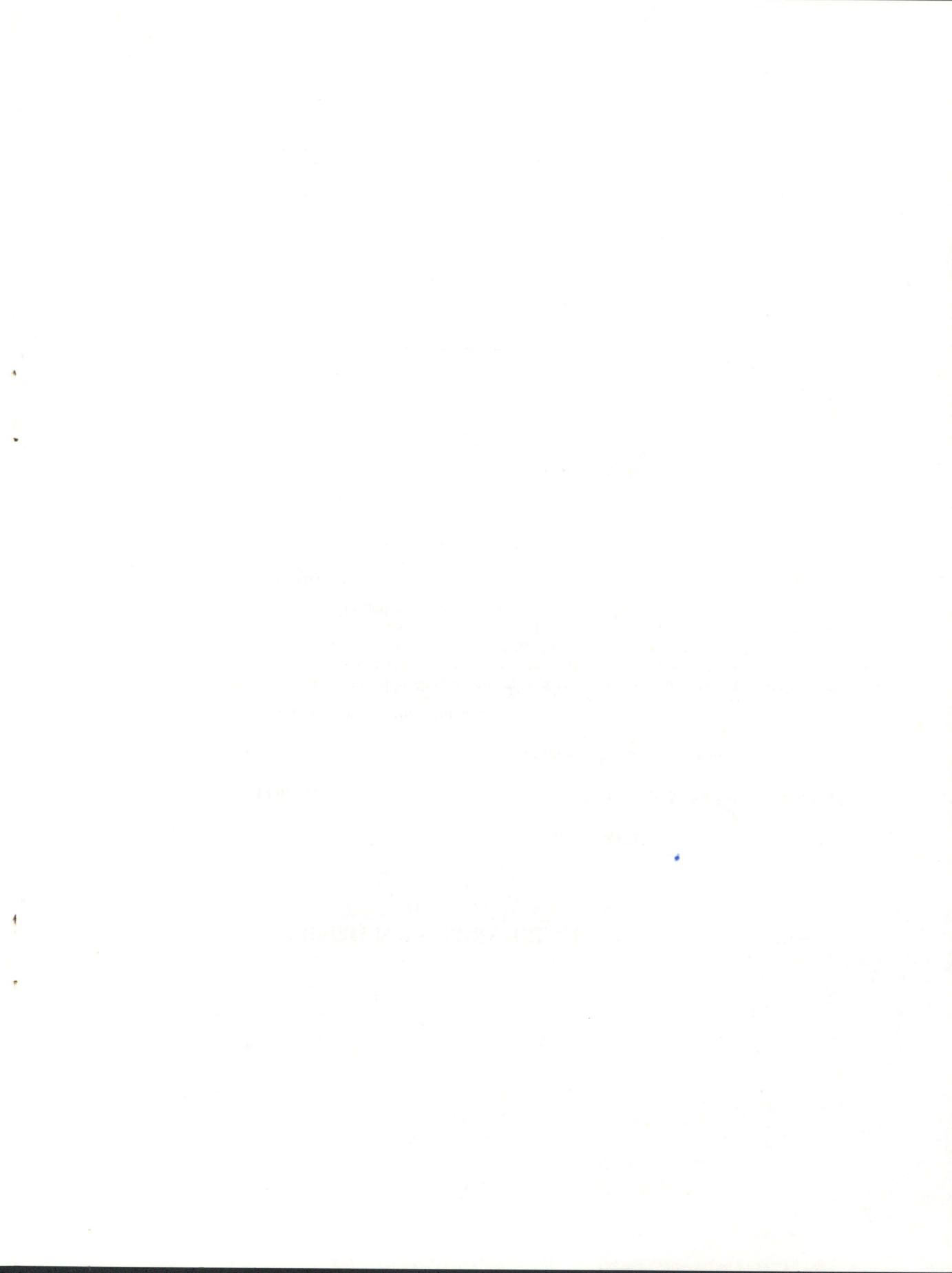
EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Community Welfare Bill, 1982.

The objects of this Bill are—

- (a) to provide that community service orders may be made only in respect of a person who has attained the age of 18 years when he committed an offence or who, although he had not attained that age when he committed an offence, had attained the age of 21 years when he was charged with the offence; and
 - (b) to make other amendments consequent upon the enactment of the Community Welfare Act, 1982.
-



PROOF

**COMMUNITY SERVICE ORDERS (COMMUNITY
WELFARE) AMENDMENT BILL, 1982**

No. , 1982.

A BILL FOR

An Act to amend section 4 of the Community Service Orders Act, 1979,
consequent upon the enactment of the Community Welfare Act, 1982.

Community Service Orders (Community Welfare) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Community Service Orders (Community Welfare) Amendment Act, 1982".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent
10 to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982.

Amendment of Act No. 192, 1979.

15 3. The Community Service Orders Act, 1979, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE COMMUNITY SERVICE ORDERS ACT, 1979.

20 (1) Section 4 (1)—

Omit "Where a person of or over 18 years of age is before a court for sentencing after being convicted of an offence punishable by imprisonment, whether or not it is also punishable by a fine," insert instead:—

25 Where a person—

(a) who has committed an offence punishable by imprisonment (whether or not it is also punishable by a fine); and

Community Service Orders (Community Welfare) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE COMMUNITY SERVICE ORDERS ACT,
1979—*continued.*

(b) who—

- 5 (i) had attained the age of 18 years at the date of com-
mission of the offence; or
- (ii) had not attained that age at that date but had attained
the age of 21 years when he was charged with the
offence,
- 10 is before a court for sentencing after being convicted of the offence,

(2) Section 4 (5)—

After “section” where firstly occurring, insert “, as amended by
Schedule 1 to the Community Service Orders (Community Welfare)
Act, 1982,”.

15 (3) Section 4 (5)—

Omit “this section”, insert instead “that Schedule”.

Community Service Order (Community Welfare)

SCHEDULE 1 - continued

APPENDICES TO THE COMMUNITY SERVICE ORDER ACT, 1972 - continued

(b) who

(i) had attained the age of 17 years on the date of conviction

(ii) had not attained the age of 17 years on the date of conviction

(iii) had not attained the age of 17 years on the date of conviction

(iv) had not attained the age of 17 years on the date of conviction

offence

10. A person who is convicted of an offence shall be liable to the offence

(c) Section 4 (2) -

After "section" which words "section" insert "as amended by Schedule 1 to the Community Service Order (Community Welfare) Act 1982"

(d) Section 4 (2) -

omit "this section" insert "section 4 (2) (b) (i) (ii) (iii) (iv)"

at 1982

Community Service Order (Community Welfare) Act 1982



**COMMUNITY SERVICE ORDERS (COMMUNITY
WELFARE) AMENDMENT BILL, 1981**

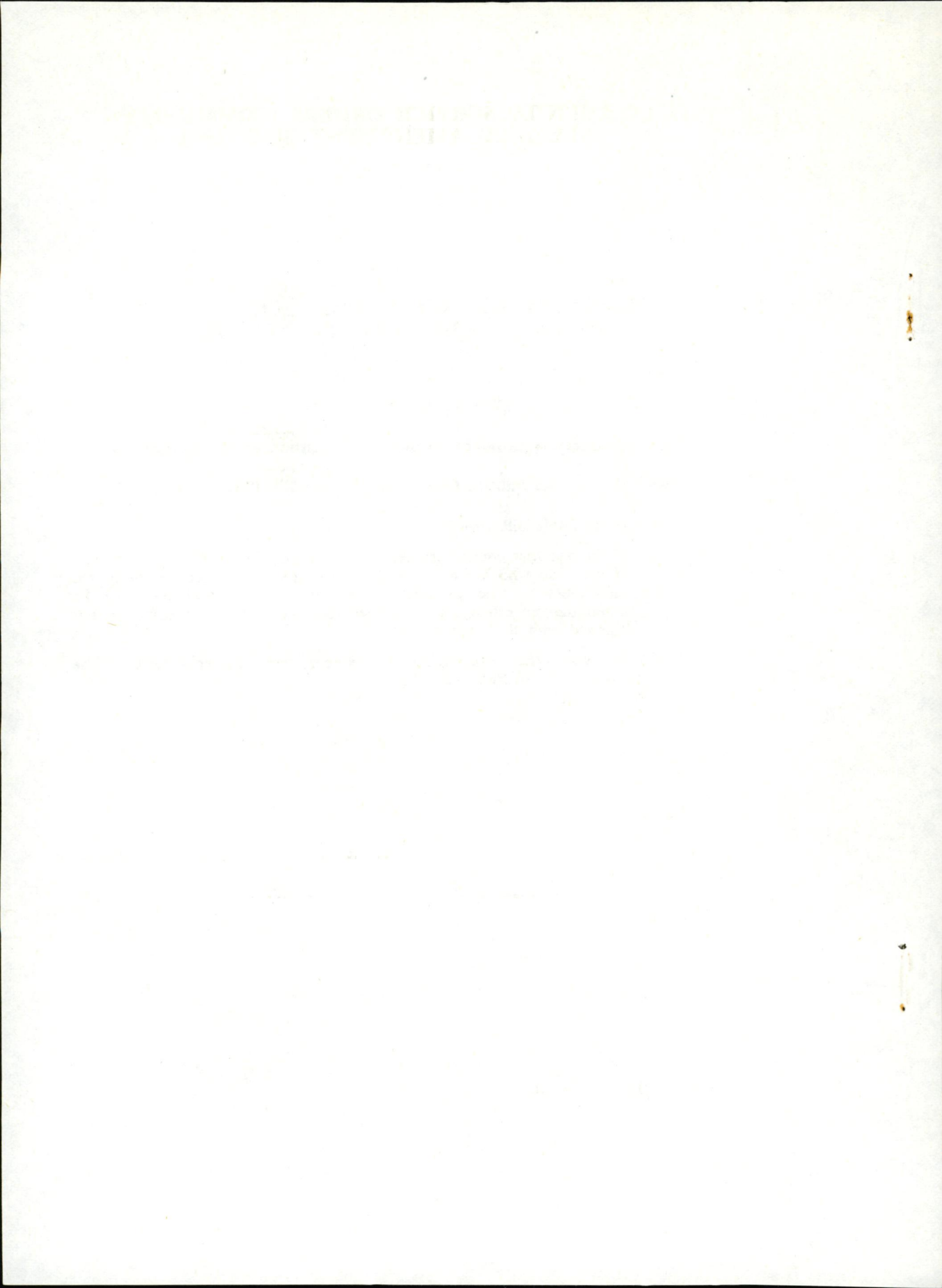
EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Community Welfare Bill, 1981.

The objects of this Bill are—

- (a) to provide that community service orders may be made only in respect of a person who has attained the age of 18 years when he committed an offence or who, although he had not attained that age when he committed an offence, had attained the age of 21 years when he was charged with the offence; and
 - (b) to make other amendments consequent upon the enactment of the Community Welfare Act, 1981.
-



**COMMUNITY SERVICE ORDERS (COMMUNITY
WELFARE) AMENDMENT BILL, 1981**

No. , 1981.

A BILL FOR

An Act to amend section 4 of the Community Service Orders Act, 1979,
consequent upon the enactment of the Community Welfare Act, 1981.

[MR JACKSON—14 *May*, 1981.]

Community Service Orders (Community Welfare) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Community Service Orders (Community Welfare) Amendment Act, 1981".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent
10 to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Community Welfare Act, 1981.

Amendment of Act No. 192, 1979.

15 3. The Community Service Orders Act, 1979, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE COMMUNITY SERVICE ORDERS ACT, 1979.

20 (1) Section 4 (1)—

Omit "Where a person of or over 18 years of age is before a court for sentencing after being convicted of an offence punishable by imprisonment, whether or not it is also punishable by a fine," insert instead:—

25 Where a person—

(a) who has committed an offence punishable by imprisonment (whether or not it is also punishable by a fine); and

Community Service Orders (Community Welfare) Amendment.

SCHEDULE 1—continued.**AMENDMENTS TO THE COMMUNITY SERVICE ORDERS ACT,
1979—continued.****(b) who—**

5

(i) had attained the age of 18 years at the date of commission of the offence; or

(ii) had not attained that age at that date but had attained the age of 21 years when he was charged with the offence,

10

is before a court for sentencing after being convicted of the offence,

(2) Section 4 (5)—

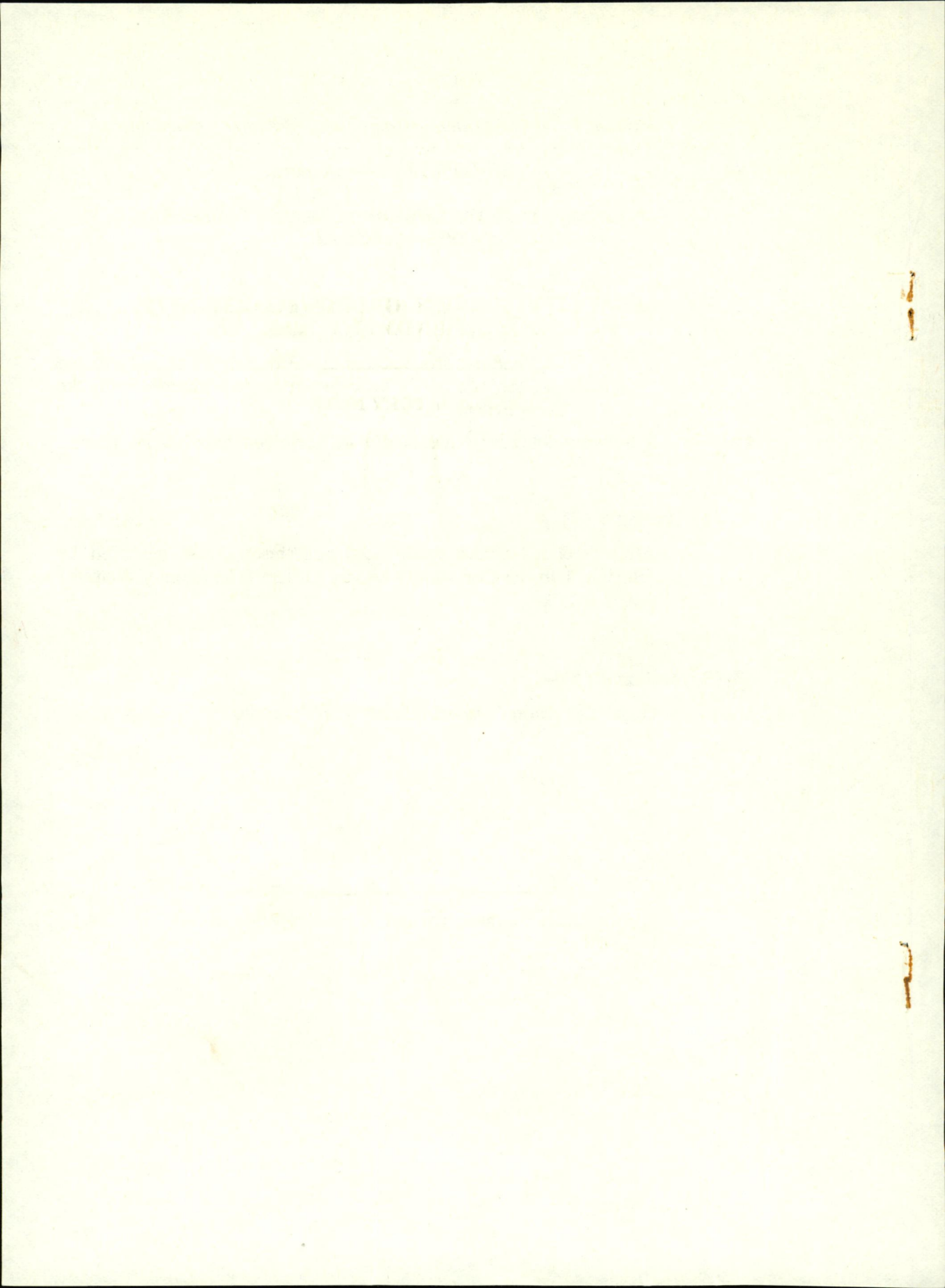
After "section" where firstly occurring, insert ", as amended by Schedule 1 to the Community Service Orders (Community Welfare) Act, 1981,".

15 (3) Section 4 (5)—

Omit "this section", insert instead "that Schedule".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981



**COMMUNITY SERVICE ORDERS (COMMUNITY WELFARE)
AMENDMENT ACT, 1982, No. 79**

New South Wales



ANNO TRICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 79, 1982.

An Act to amend section 4 of the Community Service Orders Act, 1979,
consequent upon the enactment of the Community Welfare Act, 1982.
[Assented to, 25th May, 1982.]

Community Service Orders (Community Welfare) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Community Service Orders (Community Welfare) Amendment Act, 1982".

Commencement.

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Community Welfare Act, 1982.

Amendment of Act No. 192, 1979.

3. The Community Service Orders Act, 1979, is amended in the manner set forth in Schedule 1.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE COMMUNITY SERVICE ORDERS ACT, 1979.

(1) Section 4 (1)—

Omit "Where a person of or over 18 years of age is before a court for sentencing after being convicted of an offence punishable by imprisonment, whether or not it is also punishable by a fine," insert instead:—

Where a person—

(a) who has committed an offence punishable by imprisonment (whether or not it is also punishable by a fine); and

Community Service Orders (Community Welfare) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE COMMUNITY SERVICE ORDERS ACT,
1979—*continued.*

(b) who—

- (i) had attained the age of 18 years at the date of commission of the offence; or
- (ii) had not attained that age at that date but had attained the age of 21 years when he was charged with the offence,

is before a court for sentencing after being convicted of the offence,

(2) Section 4 (5)—

After "section" where firstly occurring, insert " as amended by Schedule 1 to the Community Service Orders (Community Welfare) Act, 1982,".

(3) Section 4 (5)—

Omit "this section", insert instead "that Schedule".

In the name and on behalf of Her Majesty I assent to this Act.

J. A. ROWLAND,

Governor.

*Government House,
Sydney, 25th May, 1982.*

