

**CRIMES (RELEASE ON LICENCE BOARD) AMENDMENT
BILL 1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

**An Act to amend the Crimes Act 1900 with respect to the release on licence
of offenders.**

Crimes (Release on Licence Board) Amendment 1986

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 "Crimes (Release on Licence Board) Amendment Act 1986".

Amendment of Act No. 40, 1900

2. The Crimes Act 1900 is amended in the manner set forth in Schedule
10 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE CRIMES ACT 1900

Section 463 (**Tickets-of-leave**)—

15 (1) Section 463 (4A), (4B)—

After section 463 (4), insert:

(4A) Where the Chairman of the Release on Licence Board or the Deputy Chairman is of the opinion that—

20 (a) the matter of whether a license is to be revoked is being considered by the Board or will shortly be considered by the Board; and

(b) circumstances exist that justify the immediate apprehension of the licensee,

25 the Chairman or Deputy Chairman may issue a warrant to a member of the police force directing that the licensee be apprehended and returned to gaol.

Crimes (Release on Licence Board) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE CRIMES ACT 1900—*continued*

5 (4B) A direction in a warrant under subsection (4A) for the apprehension by a member of the police force of a licensee and the return of the licensee to gaol is sufficient authority for that apprehension and for the detention of the licensee in gaol pending a decision as to whether or not the license will be revoked.

(2) Section 463 (6)—

After section 463 (5), insert:

10 (6) A recommendation shall not be made for the purposes of subsection (2) except in accordance with a recommendation made by the Release on Licence Board under section 60 of the Prisons Act 1952.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1986



FIRST PRINT

**CRIMES (RELEASE ON LICENCE BOARD) AMENDMENT
BILL 1986**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Prisons (Release on Licence Board) Amendment Bill 1986.

The object of this Bill is to amend the Crimes Act 1900 so as—

- (a) to require a recommendation from the Release on Licence Board before the Minister may recommend the revocation of a licence to be at large granted to an offender under that Act; and
- (b) to enable the Chairman of the Release on Licence Board or the Deputy Chairman to issue a warrant for the immediate apprehension of a licensee, where the circumstances justify such action, pending a decision as to whether to revoke the licence.

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision that gives effect to the Schedule of amendments to the Principal Act.

SCHEDULE 1—AMENDMENTS TO THE CRIMES ACT 1900

Schedule 1 (1) enables the Chairman of the Release on Licence Board or the Deputy Chairman to issue a warrant for the apprehension of a licensee, in circumstances that justify the licensee's immediate apprehension, pending a decision as to whether to revoke the licensee's licence to be at large.

Schedule 1 (2) provides that before the Minister can recommend to the Governor the revocation of a licensee's licence to be at large a recommendation for that revocation must be received from the Release on Licence Board.

**CRIMES (RELEASE ON LICENCE BOARD)
AMENDMENT BILL 1986**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 40, 1900

SCHEDULE 1—AMENDMENTS TO THE CRIMES ACT 1900

**CRIMES (RELEASE ON LICENCE BOARD)
AMENDMENT ACT 1986 No. 36**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 40, 1900

SCHEDULE 1—AMENDMENTS TO THE CRIMES ACT 1900



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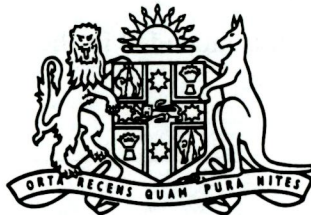
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**CRIMES (RELEASE ON LICENCE BOARD) AMENDMENT ACT
1986 No. 36**

NEW SOUTH WALES



Act No. 36, 1986

An Act to amend the Crimes Act 1900 with respect to the release on licence of offenders. [Assented to 6 May 1986.]

Crimes (Release on Licence Board) Amendment 1986

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 "Crimes (Release on Licence Board) Amendment Act 1986".

Amendment of Act No. 40, 1900

2. The Crimes Act 1900 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE CRIMES ACT 1900

Section 463 (**Tickets-of-leave**)—

(1) Section 463 (4A), (4B)—

After section 463 (4), insert:

(4A) Where the Chairman of the Release on Licence Board or the Deputy Chairman is of the opinion that—

- (a) the matter of whether a license is to be revoked is being considered by the Board or will shortly be considered by the Board; and
- (b) circumstances exist that justify the immediate apprehension of the licensee,

the Chairman or Deputy Chairman may issue a warrant to a member of the police force directing that the licensee be apprehended and returned to gaol.

Crimes (Release on Licence Board) Amendment 1986

SCHEDULE 1—*continued*

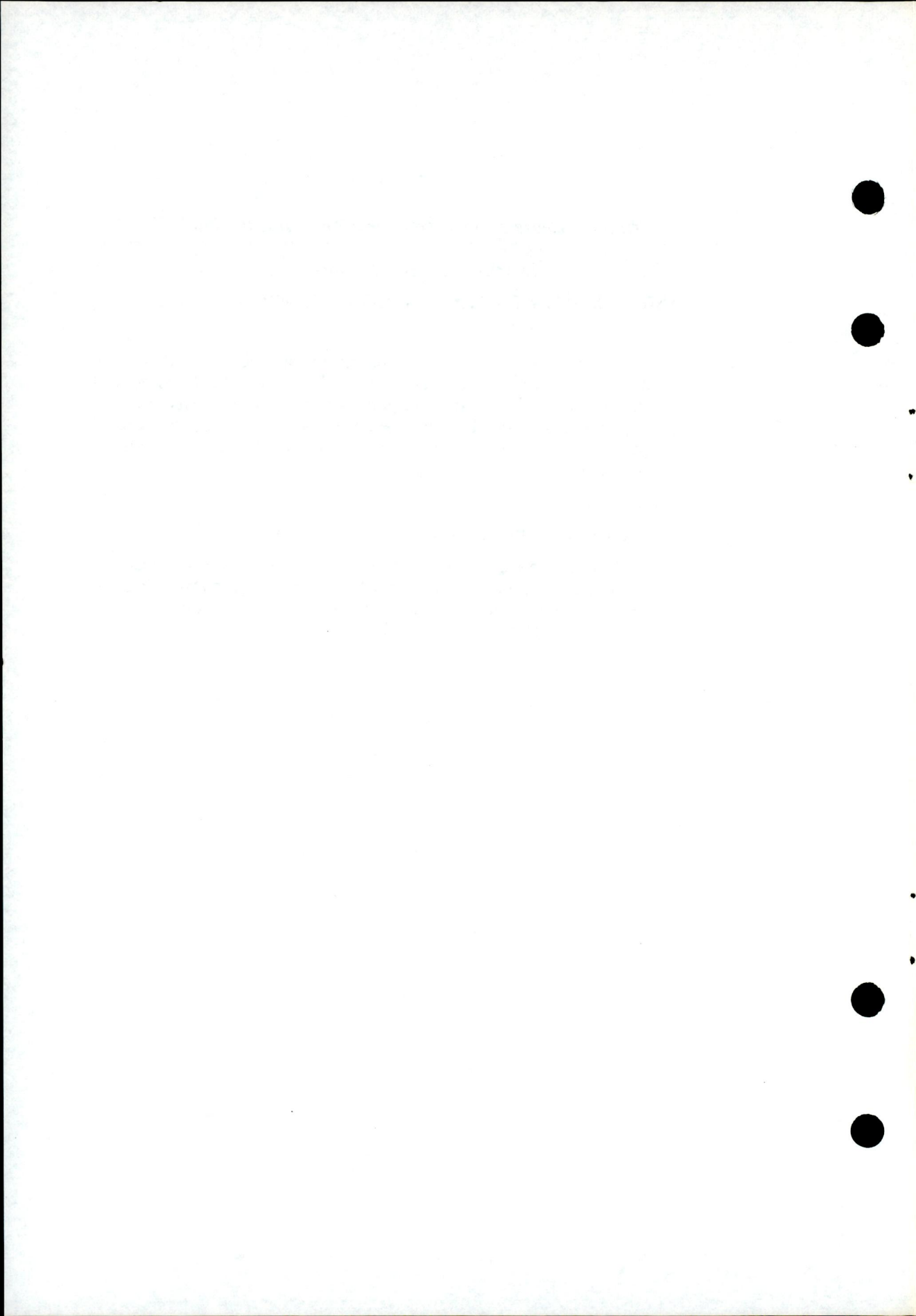
AMENDMENTS TO THE CRIMES ACT 1900—*continued*

(4B) A direction in a warrant under subsection (4A) for the apprehension by a member of the police force of a licensee and the return of the licensee to gaol is sufficient authority for that apprehension and for the detention of the licensee in gaol pending a decision as to whether or not the license will be revoked.

(2) Section 463 (6)—

After section 463 (5), insert:

(6) A recommendation shall not be made for the purposes of subsection (2) except in accordance with a recommendation made by the Release on Licence Board under section 60 of the Prisons Act 1952.



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