

FIRST PRINT

**CRIMES (REMISSIONS) FURTHER 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 (Further Amendment) Bill 1986.

The object of this Bill is to repeal provisions in the Crimes Act 1900 relating to the remission of prison sentences that will become redundant on the enactment of the Prisons (Further Amendment) Act 1986.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences, with minor exceptions, on the date of assent to the proposed Act.

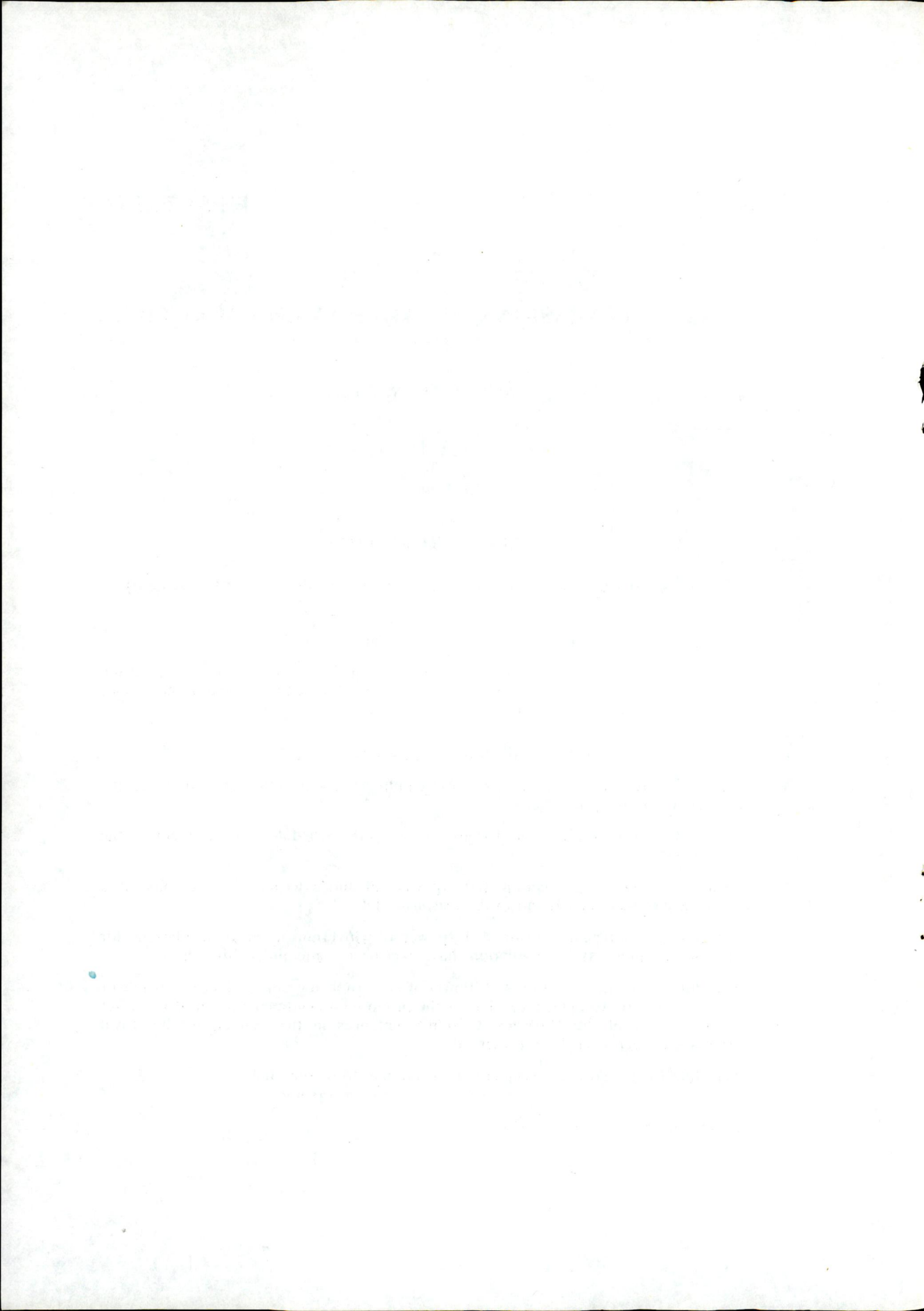
Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Principal Act.

Schedule 1 (1) repeals section 460A (powers of Judge to refuse remissions) as a consequence of its re-enactment in the Prisons Act 1952.

Schedule 1 (2) repeals section 461 (power of Governor to make regulations for remission of sentences). No regulations have ever been made under this section.

Schedule 1 (3) repeals section 462 (Power of Governor to grant remission of whole or part of sentence on recognizance). Under the proposed amendments to the Prisons Act 1952 the power of the Governor to remit sentences in the exercise of the Royal prerogative of mercy has been preserved.

Schedule 1 (4) makes a consequential amendment to section 464.



**CRIMES (REMISSIONS) FURTHER AMENDMENT BILL
1986**

NEW SOUTH WALES



TABLE OF PROVISIONS

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

SCHEDULE 1—AMENDMENTS TO THE CRIMES ACT 1900

**CRIMES (REMISSIONS) FURTHER AMENDMENT BILL
1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Crimes Act 1900 as a consequence of and in connection with the enactment of the Prisons (Further Amendment) Act 1986.

Crimes (Remissions) Further 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 (Remissions) Further Amendment Act 1986".

Commencement

2. (1) Except as provided by subsection (2), this Act shall commence
10 on the date of assent to this Act.

(2) Schedule 1 (1), and section 3 in its application to that provision, shall commence on the commencement of Schedule 1 (3) to the Prisons (Further Amendment) Act 1986.

Amendment of Act No. 40, 1900

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

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE CRIMES ACT 1900

20 (1) Section 460A (**Remission of sentences**)—

Omit the section.

(2) Section 461 (**General regulations for remission of sentences**)—

Omit the section.

(3) Section 462 (**Remission on recognizances**)—

25 Omit the section.

Crimes (Remissions) Further Amendment 1986

SCHEDULE 1—*continued*

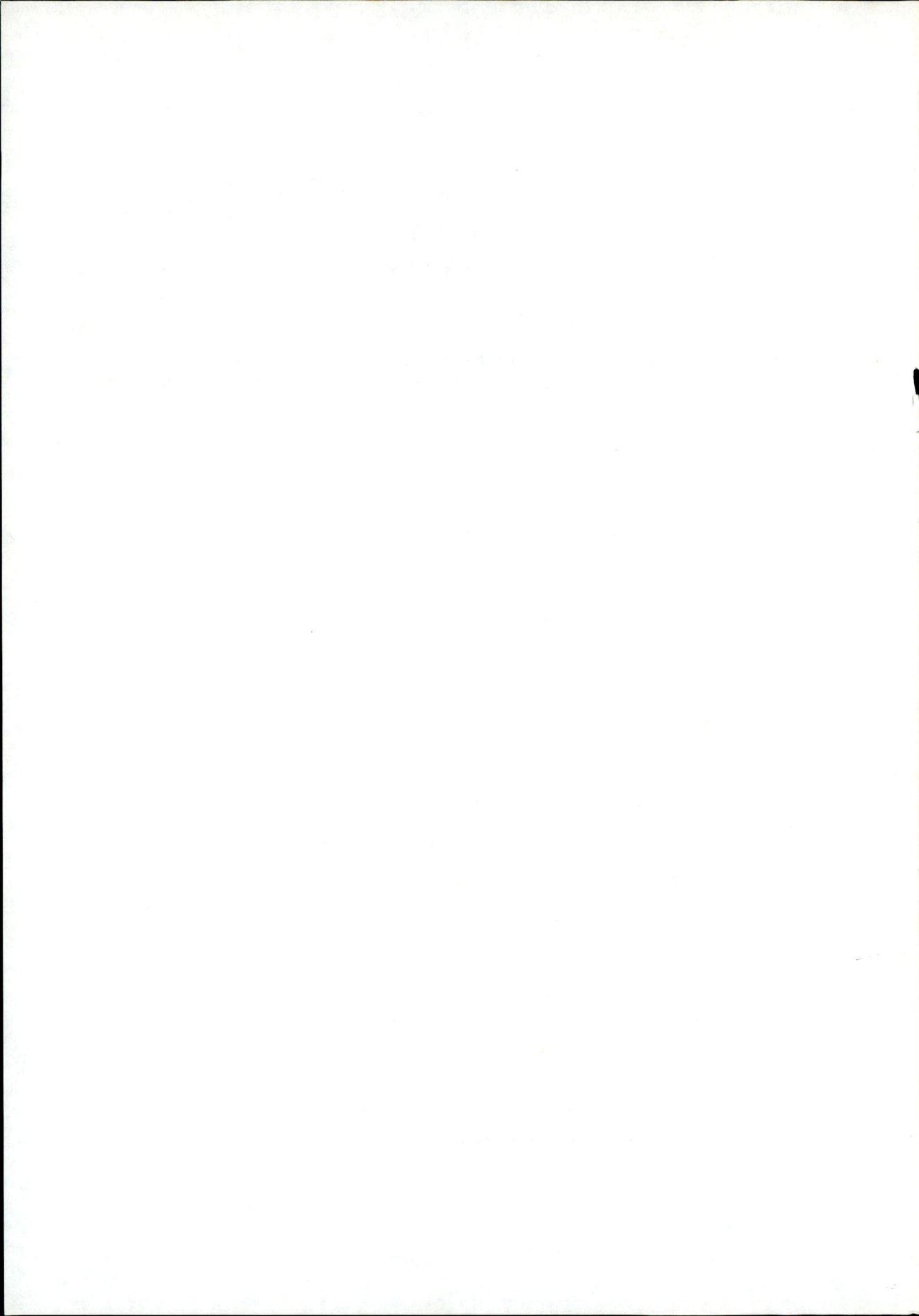
AMENDMENTS TO THE CRIMES ACT 1900—*continued*

(4) Section 464 (**Remissions where more than one sentence**)—

Omit “vacated or avoided by due course of law, or remitted by the Governor”, insert instead “duly vacated, avoided or remitted”.

BY AUTHORITY

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



**CRIMES (REMISSIONS) FURTHER AMENDMENT ACT
1986 No. 189**

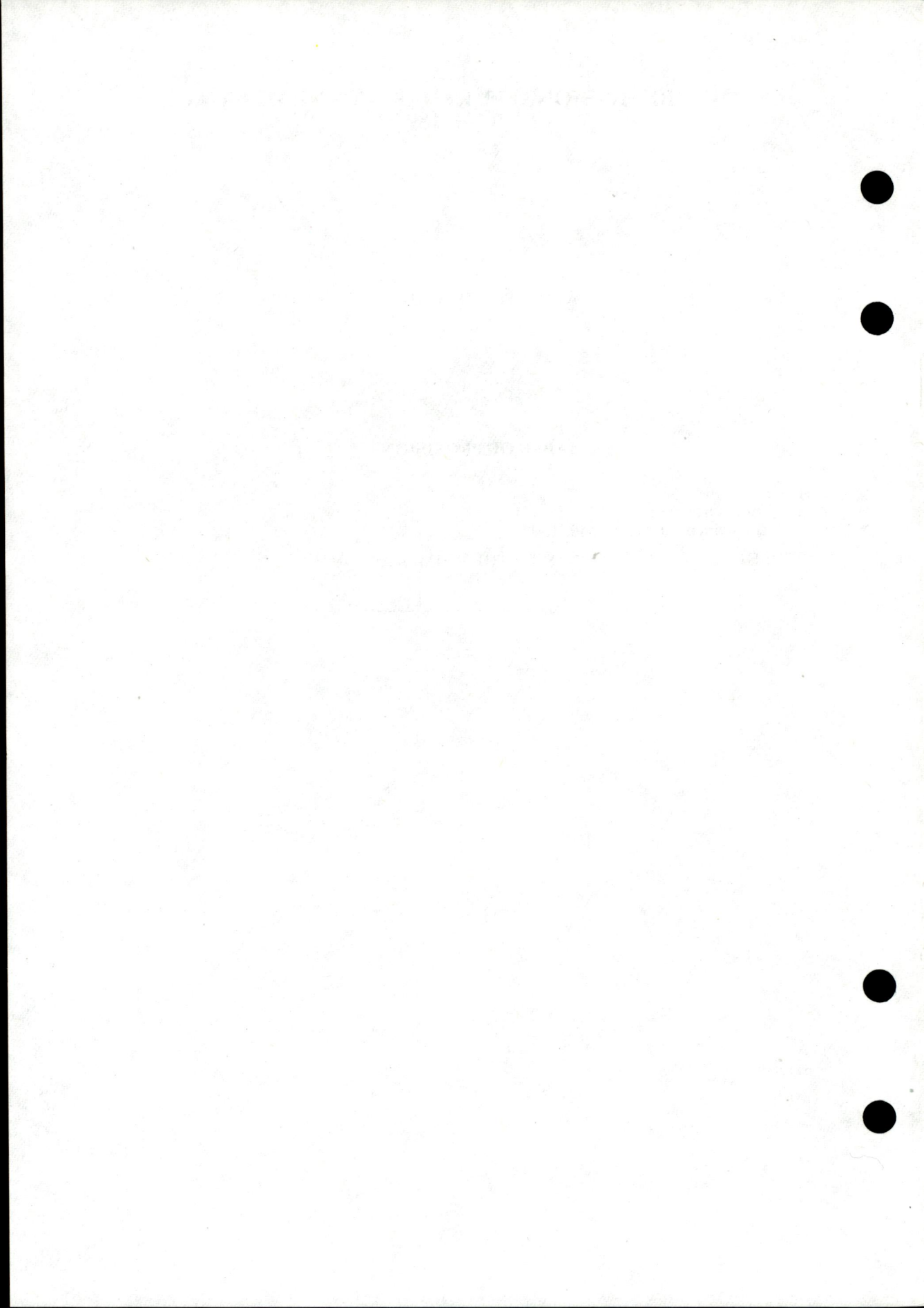
NEW SOUTH WALES



TABLE OF PROVISIONS

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

SCHEDULE 1—AMENDMENTS TO THE CRIMES ACT 1900



CRIMES (REMISSIONS) FURTHER AMENDMENT ACT 1986
No. 189

NEW SOUTH WALES



Act No. 189, 1986

An Act to amend the Crimes Act 1900 as a consequence of and in connection with the enactment of the Prisons (Further Amendment) Act 1986. [Assented to 18 December 1986]

Crimes (Remissions) Further 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 (Remissions) Further Amendment Act 1986".

Commencement

2. (1) Except as provided by subsection (2), this Act shall commence on the date of assent to this Act.

(2) Schedule 1 (1), and section 3 in its application to that provision, shall commence on the commencement of Schedule 1 (3) to the Prisons (Further Amendment) Act 1986.

Amendment of Act No. 40, 1900

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

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE CRIMES ACT 1900

(1) Section 460A (**Remission of sentences**)—

Omit the section.

(2) Section 461 (**General regulations for remission of sentences**)—

Omit the section.

(3) Section 462 (**Remission on recognizances**)—

Omit the section.

Crimes (Remissions) Further Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE CRIMES ACT 1900—*continued*

(4) Section 464 (**Remissions where more than one sentence**)—

Omit “vacated or avoided by due course of law, or remitted by the Governor”, insert instead “duly vacated, avoided or remitted”.



