

FIRST PRINT

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

NEW SOUTH WALES



**EXPLANATORY NOTE**

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

The Crimes (Release on Licence Board) Amendment Bill 1986 is cognate with this Bill.

The object of this Bill is to amend the Prisons Act 1952 so as—

- (a) to include as one of the functions of the Release on Licence Board the making of recommendations to the Minister relating to the revocation of licences to be at large under the Crimes Act 1900; and
- (b) to enable the Corrective Services Commission to delegate its functions to any officer of the public service instead of only to officers employed in the administration of the Prisons Act 1952.

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Clause 1 specifies the short title of the proposed Act.

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

SCHEDULE 1—AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
RELEASE ON LICENCE BOARD

Schedule 1 (1) provides for the making of recommendations to the Minister by the Release on Licence Board relating to the revocation of licences to be at large granted to offenders under the Crimes Act 1900.

Schedule 1 (2) is consequential on the amendment made by Schedule 1 (1).

Schedule 1 (3) protects a member of the Board and a person acting under the direction of the Board from liability if the member or person acts in good faith and for the purposes of the Principal Act or any other Act. This provision will protect the Chairman of the Release on Licence Board and the Deputy Chairman from claims against them personally in connection with the exercise of the power to issue warrants to apprehend licensees which is to be inserted in the Crimes Act 1900 by the Crimes (Release on Licence Board) Amendment Bill 1986.

SCHEDULE 2—AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
DELEGATION OF FUNCTIONS BY THE CORRECTIVE SERVICES COMMISSION

Schedule 2 enables a delegation of the functions of the Corrective Services Commission to be made to any officer of the public service instead of only to officers employed in the administration of the Principal Act. In particular, the Bill will enable that Commission to delegate, to officers of the Probation and Parole Service, its functions under section 13 of the Community Service Orders Act 1979 to assign a probation officer in respect of the administration of a community service order.

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

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Amendment of Act No. 9, 1952

SCHEDULE 1—AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
RELEASE ON LICENCE BOARD

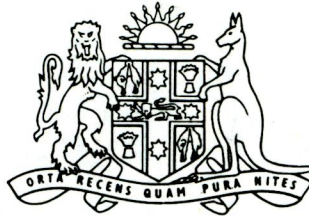
SCHEDULE 2—AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
DELEGATION OF FUNCTIONS BY THE CORRECTIVE SERVICES  
COMMISSION

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

NEW SOUTH WALES



No.       , 1986

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**A BILL FOR**

An Act to amend the Prisons Act 1952 in relation to the Release on Licence Board and the delegation of functions by the Corrective Services Commission.

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See also Crimes (Release on Licence Board) Amendment Bill 1986.

*Prisons (Release on Licence Board) Amendment 1986*

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**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 "Prisons (Release on Licence Board) Amendment Act 1986".

**Amendment of Act No. 9, 1952**

2. The Prisons Act 1952 is amended in the manner set forth in 10 Schedules 1 and 2.

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SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
RELEASE ON LICENCE BOARD

15 (1) Section 60 (**Functions of the Board**)—

(a) Section 60 (1) (a1)—

After section 60 (1) (a), insert:

20 (a1) to make recommendations to the Minister relating to the  
revocation of licences granted under section 463 (1) of the  
Crimes Act 1900;

(b) Section 60 (3)—

After "(a),", insert "(a1),".

(2) Section 61 (**Special provisions relating to certain recommendations of  
the Board**)—

25 Section 61 (1)—

After "(a),", insert "(a1),".

*Prisons (Release on Licence Board) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
RELEASE ON LICENCE BOARD—*continued*

- (3) Schedule 5 (**Provisions relating to the constitution and procedure of the Board**), clause 11—

After clause 10, insert:

**Liability of members, etc.**

- 5           11. No matter or thing done by the Board, any member of the  
Board or any person acting under the direction of the Board  
shall, if the matter or thing was done in good faith for the  
10           purposes of executing this or any other Act, subject a member  
of the Board or a person so acting personally to any action,  
liability, claim or demand.
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SCHEDULE 2

(Sec. 2)

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
DELEGATION OF FUNCTIONS BY THE CORRECTIVE SERVICES  
COMMISSION

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Section 48D (**Delegation**)—

- (1) Section 48D (1) (a), (2) (a)—

Omit “employed in the administration of this Act” wherever  
occurring.

*Prisons (Release on Licence Board) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
DELEGATION OF FUNCTIONS BY THE CORRECTIVE SERVICES  
COMMISSION—*continued*

(2) Section 48D (1) (b), (2) (b)—

Omit “so employed” wherever occurring.

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BY AUTHORITY

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



**PRISONS (RELEASE ON LICENCE BOARD)  
AMENDMENT ACT 1986 No. 35**

NEW SOUTH WALES



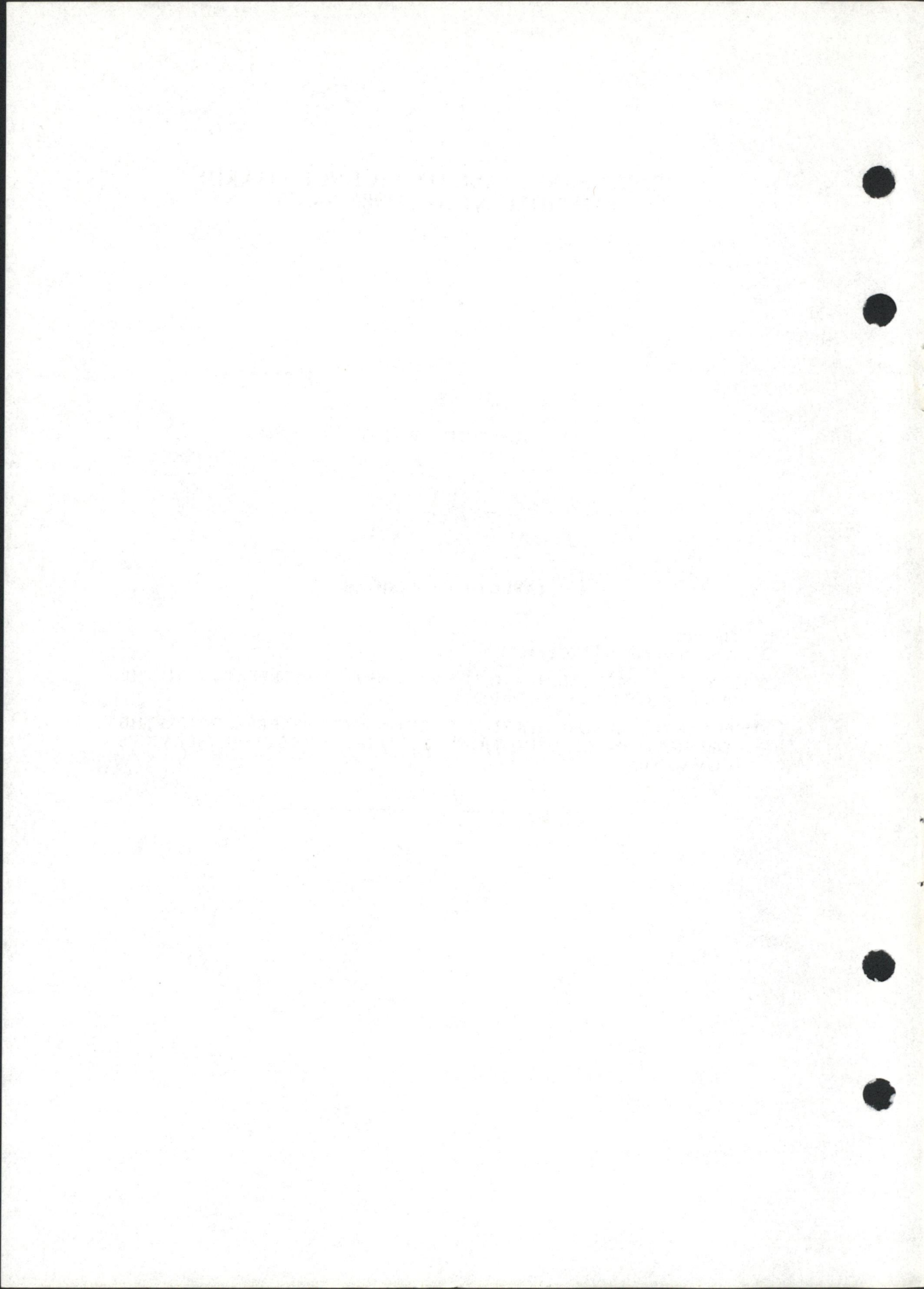
**TABLE OF PROVISIONS**

1. Short title
2. Amendment of Act No. 9, 1952

**SCHEDULE 1—AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
RELEASE ON LICENCE BOARD**

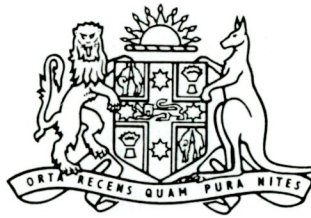
**SCHEDULE 2—AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
DELEGATION OF FUNCTIONS BY THE CORRECTIVE SERVICES  
COMMISSION**

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**PRISONS (RELEASE ON LICENCE BOARD) AMENDMENT ACT  
1986 No. 35**

NEW SOUTH WALES



**Act No. 35, 1986**

An Act to amend the Prisons Act 1952 in relation to the Release on Licence Board and the delegation of functions by the Corrective Services Commission. [Assented to 6 May 1986.]

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See also Crimes (Release on Licence Board) Amendment Act 1986.

*Prisons (Release on Licence Board) Amendment 1986*

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**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 "Prisons (Release on Licence Board) Amendment Act 1986".

**Amendment of Act No. 9, 1952**

2. The Prisons Act 1952 is amended in the manner set forth in Schedules 1 and 2.

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SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
RELEASE ON LICENCE BOARD

(1) Section 60 (**Functions of the Board**)—

(a) Section 60 (1) (a1)—

After section 60 (1) (a), insert:

(a1) to make recommendations to the Minister relating to the revocation of licences granted under section 463 (1) of the Crimes Act 1900;

(b) Section 60 (3)—

After "(a),", insert "(a1),".

(2) Section 61 (**Special provisions relating to certain recommendations of the Board**)—

Section 61 (1)—

After "(a),", insert "(a1),".

*Prisons (Release on Licence Board) Amendment 1986*

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SCHEDULE 1—*continued*

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
RELEASE ON LICENCE BOARD—*continued*

- (3) Schedule 5 (**Provisions relating to the constitution and procedure of the Board**), clause 11—

After clause 10, insert:

**Liability of members, etc.**

11. No matter or thing done by the Board, any member of the Board or any person acting under the direction of the Board shall, if the matter or thing was done in good faith for the purposes of executing this or any other Act, subject a member of the Board or a person so acting personally to any action, liability, claim or demand.

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SCHEDULE 2

(Sec. 2)

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
DELEGATION OF FUNCTIONS BY THE CORRECTIVE SERVICES  
COMMISSION

Section 48D (**Delegation**)—

- (1) Section 48D (1) (a), (2) (a)—

Omit “employed in the administration of this Act” wherever occurring.

*Prisons (Release on Licence Board) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS TO THE PRISONS ACT 1952 RELATING TO THE  
DELEGATION OF FUNCTIONS BY THE CORRECTIVE SERVICES  
COMMISSION—*continued*

(2) Section 48D (1) (b), (2) (b)—

Omit “so employed” wherever occurring.

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BY AUTHORITY

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



