

COMMUNITY SERVICE ORDERS (AMENDMENT) ACT 1989
No. 185

NEW SOUTH WALES



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SCHEDULE 1 - AMENDMENTS



COMMUNITY SERVICE ORDERS (AMENDMENT) ACT 1989
No. 185

NEW SOUTH WALES



Act No. 185, 1989

An Act to amend the Community Service Orders Act 1979 to increase the number of hours of community service work that a person may be required to perform under a community service order; and for other purposes. [Assented to 19 December 1989]

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Community Service Orders (Amendment) Act 1989.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of Community Service Orders Act 1979 No. 192

3. The Community Service Orders Act 1979 is amended as set out in Schedule 1.

Operation of amendments

4. (1) The amendment made by item (1) of Schedule 1 applies in respect of a person who is sentenced after the commencement of that item, whether the person committed or is convicted of the offence concerned before or after that commencement.

(2) The amendments made by item (2) of Schedule 1 apply in relation to a community service order made after, but not before, the commencement of that item.

SCHEDULE 1 - AMENDMENTS

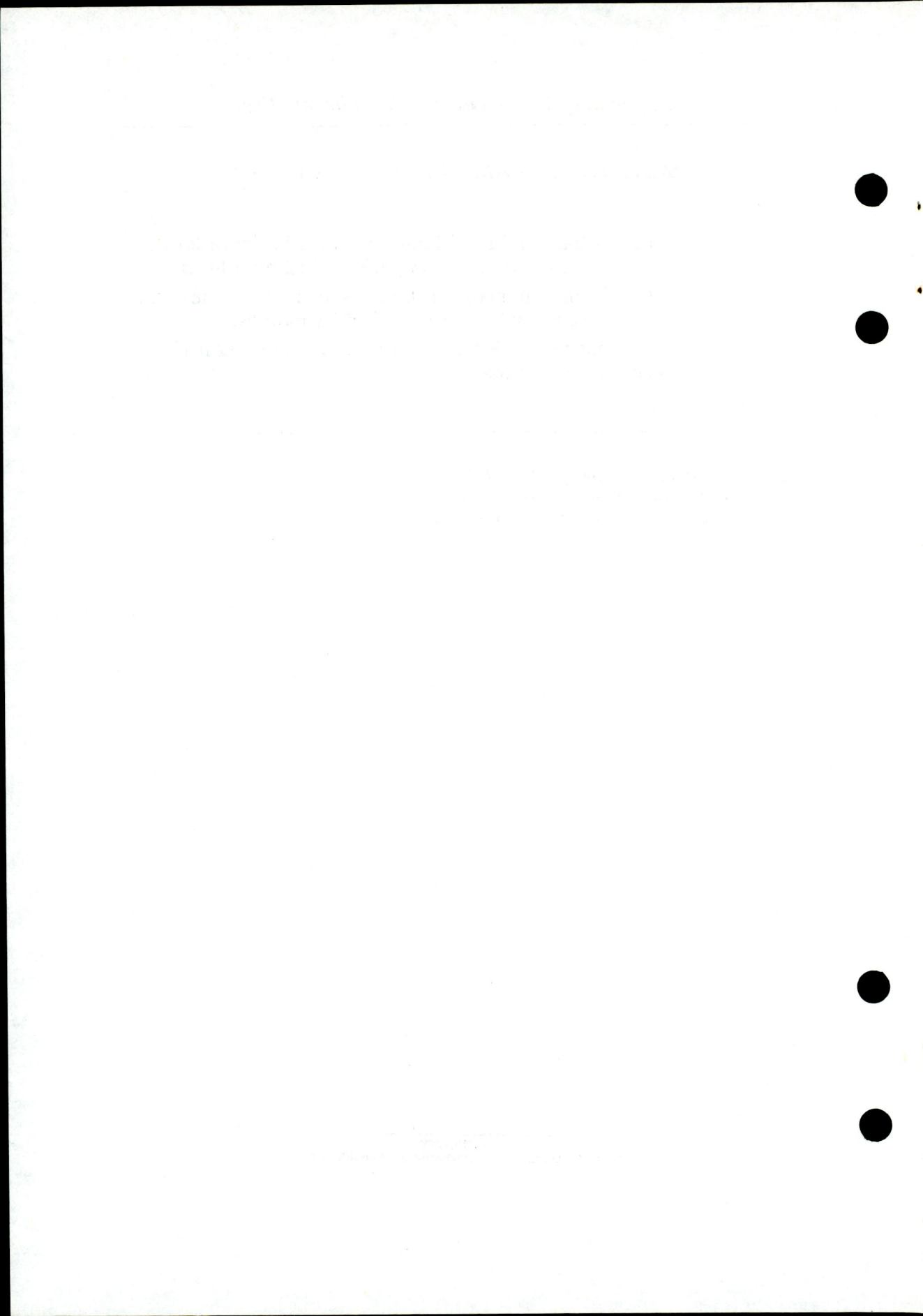
(Sec. 3)

- (1) Section 7 (**Number of hours of community service work**):
Omit "300 hours" wherever occurring, insert instead "500 hours".
- (2) Section 16 (**Duration of community service order**):
- (a) Omit section 16 (b), insert instead:
- (b) the expiration of the relevant maximum period; or
- (b) At the end of section 16, insert:
- (2) For the purposes of subsection (1) (b), the relevant maximum period is:

SCHEDULE 1 - AMENDMENTS - *continued*

- (a) if the number of hours specified in the order does not exceed 300 - the period of 12 months; or
- (b) if the number of hours specified in the order exceeds 300 - the period of 18 months,
but if that period is extended pursuant to section 17, the period as so extended.

[*Minister's second reading speech made in -
Legislative Assembly on 18 October 1989
Legislative Council on 16 November 1989*]





FIRST PRINT

COMMUNITY SERVICE ORDERS (AMENDMENT) BILL 1989

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Community Service Orders Act 1979:

- (a) to increase, from 300 to 500, the maximum number of hours of community service work that a court may (when making a community service order) require an offender to perform; and
- (b) to provide for the expiration of a community service order after 18 months if the number of hours specified in the order is more than 300 (the existing maximum period of 12 months is retained if the maximum number of hours specified in the order does not exceed 300).

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on a day or days to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Community Service Orders Act 1979.

Clause 4 (1) provides that the amendment which increases the number of hours of community service work that a court may impose applies to a person sentenced after the commencement of the amendment. Since the amendment will enable the court to make greater use of community service orders as an alternative to imprisonment in the case of more serious offences, the amendment applies even though the person committed or is convicted of the offence before the commencement of the amendment.

Clause 4 (2) provides that the amendments relating to the duration of a community service order apply to an order made after the commencement of those amendments.

Community Service Orders (Amendment) 1989

Schedule 1 amends the Community Service Orders Act 1979 to give effect to the object stated above.

FIRST PRINT

COMMUNITY SERVICE ORDERS (AMENDMENT) BILL 1989

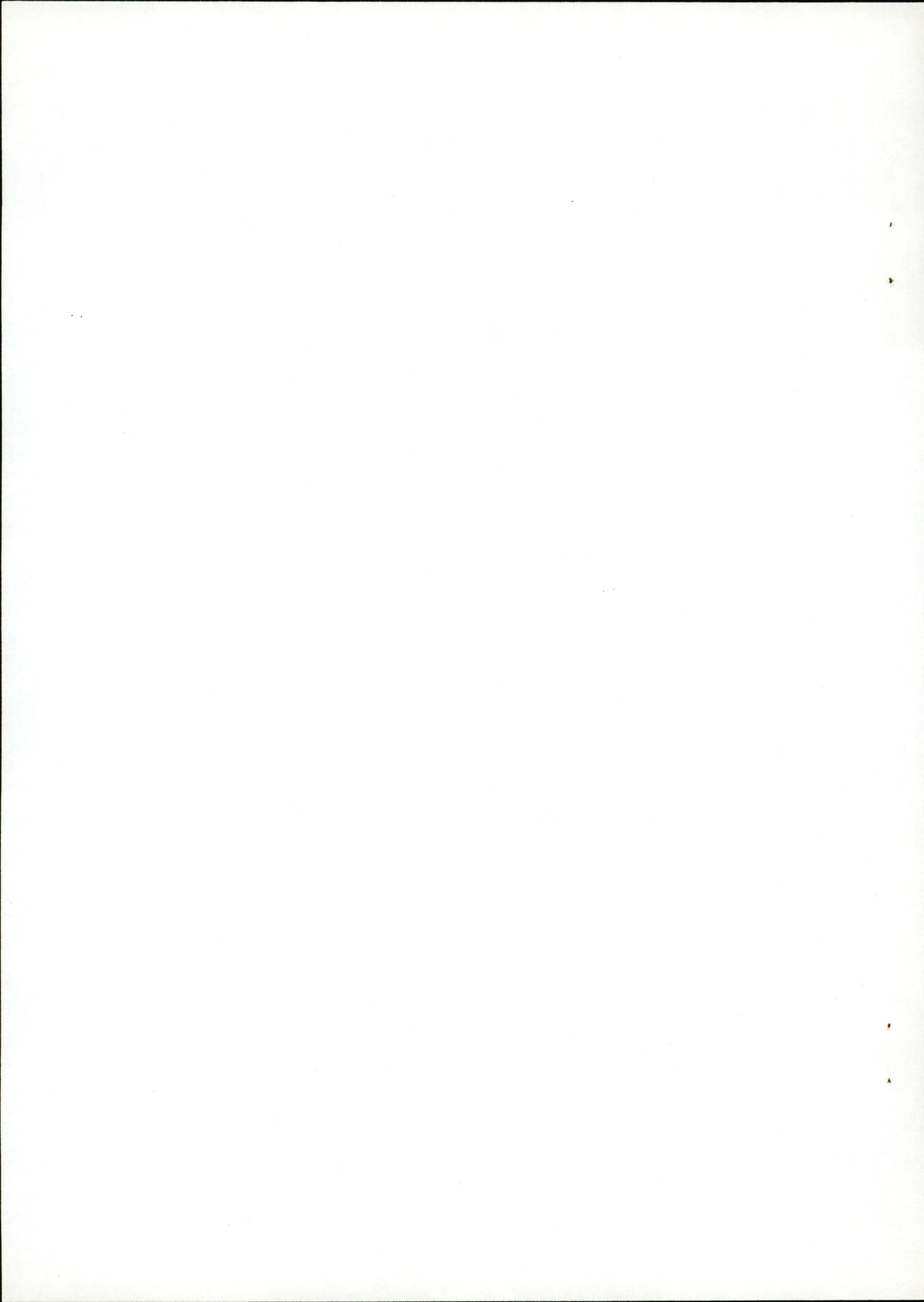
NEW SOUTH WALES



TABLE OF PROVISIONS

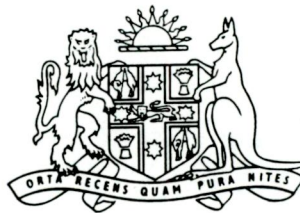
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SCHEDULE 1 - AMENDMENTS



COMMUNITY SERVICE ORDERS (AMENDMENT) BILL 1989

NEW SOUTH WALES



No. , 1989

A BILL FOR

An Act to amend the Community Service Orders Act 1979 to increase the number of hours of community service work that a person may be required to perform under a community service order; and for other purposes.

Community Service Orders (Amendment) 1989

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3. The Community Service Orders Act 1979 is amended as set out in Schedule 1.

Operation of amendments

4. (1) The amendment made by item (1) of Schedule 1 applies in respect of a person who is sentenced after the commencement of that item, whether the person committed or is convicted of the offence concerned before or after that commencement.

(2) The amendments made by item (2) of Schedule 1 apply in relation to a community service order made after, but not before, the commencement of that item.

SCHEDULE 1 - AMENDMENTS

(Sec. 3)

- (1) Section 7 (**Number of hours of community service work**):
Omit "300 hours" wherever occurring, insert instead "500 hours".
- (2) Section 16 (**Duration of community service order**):
 - (a) Omit section 16 (b), insert instead:
 - (b) the expiration of the relevant maximum period; or
 - (b) At the end of section 16, insert:
 - (2) For the purposes of subsection (1) (b), the relevant maximum period is:

Community Service Orders (Amendment) 1989

SCHEDULE 1 - AMENDMENTS - *continued*

- (a) if the number of hours specified in the order does not exceed 300 - the period of 12 months; or
 - (b) if the number of hours specified in the order exceeds 300 - the period of 18 months,
- but if that period is extended pursuant to section 17, the period as so extended.
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