

## **Act 93 - Crimes (Administration of Sentences) Act 1999**

### **Part 4 Imprisonment by way of home detention**

#### 102 Definition

In this Part:

**offender** means a person in respect of whom a home detention order is in force.

#### 103 Conditions governing home detention

(1) A home detention order is subject to the following conditions:

- (a) the standard conditions imposed by the regulations,
- (b) any additional conditions imposed by the sentencing court,
- (c) any additional conditions imposed by the Parole Board under this section.

(2) The Parole Board may from time to time, by notice given to the offender:

- (a) impose additional conditions on a home detention order, or
- (b) vary or revoke any additional conditions imposed by it on a home detention order.

(3) This section does not permit the Parole Board:

- (a) to revoke any standard conditions imposed by the regulations or any additional conditions imposed by the sentencing court, or
- (b) to impose any additional conditions, or vary any additional conditions imposed by it, so as to be inconsistent with any standard conditions imposed by the regulations or any additional conditions imposed by the sentencing court.

#### 104 Obligations of offender

The obligations of an offender while serving a sentence by way of home detention are:

- (a) to comply with such requirements of this Part and the regulations as apply to the offender, and
- (b) to comply with the requirements of any conditions to which the offender's home detention order is subject.

#### 105 Duration of home detention order

Unless sooner revoked, an offender's home detention order expires:

- (a) at the end of the term of the sentence to which it relates, or
  - (b) when the offender is released on parole,
- whichever occurs first.

#### 106 Regulations

The regulations may make provision for or with respect to the following matters:

- (a) the standard conditions to be imposed on home detention orders, including:
  - (i) conditions relating to an offender's employment while the home detention order is in force, and
  - (ii) conditions relating to the performance of community service work,
- (b) the manner in which an offender's failure to comply with the offender's obligations under a home detention order may be dealt with,**
- (c) the service of notices on an offender.

(pp 58 & 59)