

House of Assembly—No 32

As laid on the table and read a first time, 29 March 2012

South Australia

**Criminal Law (Sentencing) (No Conviction on
Election to be Prosecuted) Amendment Bill 2012**

A BILL FOR

An Act to amend the *Criminal Law (Sentencing) Act 1988*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Criminal Law (Sentencing) (No Conviction on Election to be Prosecuted) Amendment Act 2012*.

5 2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Criminal Law (Sentencing) Act 1988*

3—Amendment of section 16—Imposition of penalty without conviction

10 Section 16—after its present contents (now to be designated as subsection (1)) insert:

- (2) If a person elects to be prosecuted for an offence in relation to which the person has been issued an expiation notice and the court finds the person guilty of the offence and proposes to impose a fine, a sentence of community service, or both, the court may not record a conviction.

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