

South Australia

## **Sentencing (Miscellaneous) Amendment Act 2018**

An Act to amend the *Sentencing Act 2017*.

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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 *Sentencing (Miscellaneous) Amendment Act 2018*.

#### **2—Commencement**

This Act will come into operation on a day to be fixed by proclamation.

#### **3—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 *Sentencing Act 2017*

### 4—Amendment of section 5—Interpretation

Section 5(1), definition of *intervention program manager*—delete the definition and substitute:

*intervention program manager* means—

- (a) for the purposes of sections 29 and 30—a person employed by the South Australian Courts Administration Authority (including a delegate of such a person) to have general oversight of intervention programs referred to in those sections and to coordinate the implementation of relevant court orders under those sections; or
- (b) for the purposes of this Act (other than sections 29 and 30)—a person employed in the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the *Correctional Services Act 1982* (including a delegate of such a person) to have general oversight of intervention programs and coordinate the implementation of relevant court orders;

### 5—Amendment of section 40—Reduction of sentences for guilty pleas in other cases

- (1) Section 40(3)(d)—delete "arraignment appearance" and substitute:

first date fixed for the arraignment

- (2) Section 40(3)(e)—delete "defendant's arraignment appearance" and substitute:

first date fixed for the arraignment of the defendant

### 6—Amendment of section 71—Home detention orders

- (1) Section 71(5), definition of *serious and organised crime offence*, (a)—after subparagraph (iii) insert:

(iv) an attempt to commit any of the offences referred to in any of the preceding subparagraphs; or

- (2) Section 71(5), definition of *serious and organised crime offence*, (b)—after subparagraph (v) insert:

(vi) an attempt to commit any of the offences referred to in any of the preceding subparagraphs;

### 7—Amendment of section 79—Purpose of intensive correction order

Section 79(1)(a)—delete "12 months" and substitute:

2 years

### 8—Amendment of section 98—Conditions of bonds under this Act

Section 98(7)(b)—delete "case manager" and substitute:

community corrections officer

**9—Amendment of section 103—Variation or discharge of bond**

Section 103(2)—delete ", despite the fact that the term, as so extended, exceeds 3 years"