

Crimes Amendment (Prescribed Schemes and Orders) Regulation 2016

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 01 September 2016

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Michael Keenan

Minister for Justice

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1 Name

 This is the *Crimes Amendment (Prescribed Schemes and Orders) Regulation 2016*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | 2 September 2016 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under the *Crimes Act 1914.*

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Crimes Regulations 1990

1 Regulation 5 (heading)

Repeal the heading, substitute:

5 Prescribed State and Territory pre‑release permit schemes

2 Subregulation 5(1)

Repeal the subregulation, substitute:

 (1) For the purposes of subsection 19AZD(3) of the Act, the pre‑release permit schemes mentioned in the table are prescribed.

| Item | Pre‑release permit scheme | Law under which scheme is made |
| --- | --- | --- |
| 1 | Scheme for releasing a prisoner under a re‑entry release order | Part 4 of the *Sentence Administration Act 2003* (WA) |
| 2 | Scheme for releasing a prisoner to serve a period of home detention | Division 6A of Part 4 of the *Correctional Services Act 1982* (SA) |
| 3 | Scheme for releasing a prisoner on administrative home detention | Division 5 of Part 3.3 of Chapter 3 of the *Correctional Services Act* (NT) |

3 Subregulation 5(4)

Repeal the subregulation.

4 Regulation 6 (after table item 6)

Insert:

|  |  |  |
| --- | --- | --- |
| 6A | Home detention order | Division 3A of Part 3 of the *Criminal Law (Sentencing) Act 1988* (SA) |

5 Regulation 6 (table items 8 and 9)

Repeal the items.

6 Regulation 6 (note)

Repeal the note.