

CLAUSE NOTES

Corrections Amendment Bill 2022

- Clause 1** **Short Title**
Specifies the name of the proposed Act.
- Clause 2** **Commencement**
Provides that the Act commences on a day to be Proclaimed.
- Clause 3** **Principal Act**
Provides that the Principal Act that is being amended is the *Corrections Act 1997* (the Act).
- Clause 4** **Section 71 amended (Prisoners subject to more than one non-parole period or other minimum term)**
This clause amends section 71 of the Principal Act by inserting four new subsections.

The current definition of *designated sentence* is omitted and a new subsection is inserted. This new subsection provides that a *designated sentence* (as currently defined in the Act) is subject to subsection 6.

New subsection 6 provides that where a person becomes eligible for release on parole, any sentences the person is subject to cease to be 'designated sentences', and the minimum terms of those sentences are not to be taken into account in respect of any later sentence.

New subsection 7 clarifies that the operation of subsection 6 can apply more than once. The subsection also clarifies that subsection 6 will also apply to the treatment of designated sentences imposed before the commencement of the Bill, but only where the person was already eligible for parole on commencement of the Bill, or when they become eligible for parole at a later date.

New subsection 8 provides that when a person does become eligible for parole, and is then subject to a later sentence, the default position is that the non-parole period starts on the date of the later sentence unless otherwise ordered.
- Clause 5** **Repeal of Act**
This automatically repeals the amending legislation after the first anniversary of this Act commencing. The provisions that the amending legislation inserts into the Principal Act still remain in force after the repeal of the Amending Act.