

**PROBATION AND PAROLE (REMISSIONS)
AMENDMENT ACT 1986 No. 46**

NEW SOUTH WALES



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**PROBATION AND PAROLE (REMISSIONS)
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Act No. 46, 1986

An Act to amend the Probation and Parole Act 1983 with respect to remissions of sentences. [Assented to, 9 May 1986]

Probation and Parole (Remissions) Amendment 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Probation and Parole (Remissions) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Crimes (Remissions) Amendment Act 1986.

Amendment of Act No. 194, 1983

3. The Probation and Parole Act 1983 is amended by inserting after section 21 the following section:

Disentitlement to remission—non-parole period

21A. (1) Where a person—

(a) was convicted before, or is convicted on or after, the day on which this section commences; and

(b) is sentenced on or after that day by a court,

the court may, upon sentencing the person, order that the person shall not be entitled to any remissions, or to any remissions granted in such circumstances as the court may specify, in so far as those remissions would, but for the order, reduce the term of a non-parole period specified in relation to the sentence.

Probation and Parole (Remissions) Amendment 1986

(2) A court shall not make an order under subsection (1) unless it appears to the court that the making of the order is desirable by reason of the nature of the offence or the antecedent character of the person convicted.

(3) Where a court makes an order under subsection (1), the court shall state the reasons for the order.
