

' **"supervising authority"** means—

- (a) the Secretary in relation to an offender serving—
 - (i) a sentence of imprisonment that was wholly or partly suspended and who is in the community in accordance with that sentence; or
 - (ii) an order referred to in paragraph (a) of the definition of "good behaviour bond" in section 3 under which the person is required to submit to strict supervision; and
- (b) the entity deemed by the regulations for the purposes of this definition to have custody of, or to be responsible for supervising, the class of offender to which any other offender belongs.'

54. Consequential amendments

- (1) In Note 4 at the foot of section 6(1) of the **Sex Offenders Registration Act 2004**, for "subject to supervision" **substitute** "serving the sentence".
- (2) After section 75(1)(h) of the **Sex Offenders Registration Act 2004** **insert—**
"(ha) prescribing an entity as the supervising authority in relation to a class of offender;"
- (3) After section 75(2) of the **Sex Offenders Registration Act 2004** **insert—**
"(3) Regulations made under section 75(1)(ha) may prescribe an entity as the supervising authority in relation to a class of offender even if the entity has no direct or actual supervision of offenders belonging to that class."

55. New section 73B inserted

After section 73A of the **Sex Offenders Registration Act 2004** **insert—**

"73B. Transitional provision—Justice Legislation (Further Amendment) Act 2006

The amendments of section 3 of this Act made by section 53 of the **Justice Legislation (Further Amendment) Act 2006** do not affect the rights of the parties in the proceeding known as *DPP v Neisser* [2006] VSC 218 (No. 9544 of 2005) in the Supreme Court of Victoria."