

## Information Notice

<b>Act Title</b>	<b>Sentencing Act 1991</b>
<b>Information Title:</b>	<b>Retrospective Commencement</b>
<b>Version:</b>	<b>128</b>

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The insertion of section 115B of the **Sentencing Act 1991** by section 68 of the **Sentencing Amendment (Community Correction Reform) Act 2011**, No. 65/2011 came into operation on 16 January 2012.

Section 68 reads as follows:

### **68 New section inserted**

After section 115A of the **Sentencing Act 1991** insert—

#### **"115B Delegation**

- (1) The Secretary may, by instrument, delegate any power or duty of the Secretary under—
  - (a) Part 3A of this Act or the regulations except this power of delegation to—
    - (i) any officer within the meaning of Part 5 or Part 9 of the **Corrections Act 1986**; or
    - (ii) the Commissioner, within the meaning of the **Corrections Act 1986**; or
    - (iii) a prescribed person or prescribed class of person; or
  - (b) Division 3 of Part 3C of this Act or the regulations except this power of delegation to a person employed in the Department of Justice under Part 3 of the **Public Administration Act 2004** at a level of Grade 6 or higher.
- (2) A delegation under subsection (1) may be to a person or class of persons."

Section 68 of the **Sentencing Amendment (Community Correction Reform) Act 2011** was amended by section 3(Schedule item 47.1) of the **Statute Law Revision Act 2012**, No. 43/2012. Section 3(Schedule item 47.1) is deemed to have come into operation on 15 January 2012.

Schedule item 47.1 reads as follows:

### **47 Sentencing Amendment (Community Correction Reform) Act 2011**

47.1 In section 68, for "section 115A" substitute "section 115".

The amendment of clause 5 of Schedule 3 to the **Sentencing Act 1991** by section 12 of the **Road Safety and Sentencing Acts Amendment Act 2012**, No. 45/2012 is deemed to have come into operation on 16 January 2012.

Section 12 reads as follows:

**12 Amendment of clause 5 in Schedule 3**

In clause 5 of Schedule 3 to the **Sentencing Act 1991**, for "that Act" **substitute** "section 21 of that Act".