

Information Notice

Act Title	Sentencing Act 1991
Information Title:	Retrospective Commencement
Version:	128

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".