**Information Notice**

**Act Title** **Sentencing Act 1991**

**Information Title:** **Retrospective Commencement**

**Version:** **130**

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".