



TASMANIA

---

## **CORRECTIONS AMENDMENT ACT 2023**

**No. 10 of 2023**

---

### **CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 71 amended (Prisoner subject to more than one non-parole period or other minimum term)
5. Repeal of Act





## **CORRECTIONS AMENDMENT ACT 2023**

**No. 10 of 2023**

**An Act to amend the *Corrections Act 1997***

**[Royal Assent 12 July 2023]**

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

### **1. Short title**

This Act may be cited as the *Corrections Amendment Act 2023*.

### **2. Commencement**

This Act commences on a day to be proclaimed.

*Corrections Amendment Act 2023*  
*Act No. 10 of 2023*

s. 3

---

**3. Principal Act**

In this Act, the *Corrections Act 1997*\* is referred to as the Principal Act.

**4. Section 71 amended (Prisoner subject to more than one non-parole period or other minimum term)**

Section 71 of the Principal Act is amended as follows:

- (a) by omitting the definition of *designated sentence* from subsection (1) and substituting the following definition:

*designated sentence* – see  
subsection (1A);

- (b) by inserting the following subsection after subsection (1):

(1A) For the purposes of this section, a sentence imposed on a person is a designated sentence if, subject to subsection (6), the sentence is a sentence of imprisonment –

- (a) to which a non-parole period is applicable; or
- (b) to which an order under section 17(2)(a) of the *Sentencing Act 1997* is applicable; or

---

\*No. 51 of 1997

*Corrections Amendment Act 2023*  
*Act No. 10 of 2023*

s. 4

---

- (c) in respect of which the person is ineligible for parole by operation of section 17(3A) of the *Sentencing Act 1997*.
- (c) by inserting the following subsections after subsection (5):
  - (6) If a person becomes eligible for release on parole under this Act while the person is subject to a designated sentence –
    - (a) each designated sentence to which the person is subject ceases to be a designated sentence, for the purposes of this section, if –
      - (i) the person is subject to the designated sentence on the date on which the person becomes so eligible for release (the *relevant date*); and
      - (ii) the person has completed the minimum term for that designated sentence; and

*Corrections Amendment Act 2023*  
*Act No. 10 of 2023*

s. 4

---

- (b) a minimum term for a sentence referred to in paragraph (a) is not to be taken into account, under this section, in respect of a sentence that is imposed on the person on or after the relevant date.
- (7) For the avoidance of doubt, subsection (6) –
- (a) may apply in respect of a person on one or more occasions; and
  - (b) applies to a designated sentence imposed on a person before the day on which the *Corrections Amendment Act 2023* commences (the ***commencement day***) if –
    - (i) the person –
      - (A) is eligible for release on parole in respect of the sentence before the commencement day; and

Corrections Amendment Act 2023  
Act No. 10 of 2023

s. 4

---

(B) is on parole, or remains eligible for parole, in respect of the sentence on the commencement day; or

(ii) the person becomes eligible for release on parole in respect of the sentence on or after the commencement day.

(8) If –

- (a) a sentence (the *previous sentence*) imposed on a person ceases to be a designated sentence by virtue of subsection (6); and
- (b) a designated sentence (the *new designated sentence*) is imposed on the person while the person is still

*Corrections Amendment Act 2023*  
*Act No. 10 of 2023*

s. 5

---

subject to the previous sentence; and

- (c) at the time at which the new designated sentence is imposed on the person, the person is not subject to any other designated sentences –

the minimum term for the new designated sentence is taken to commence –

- (d) on the day on which the new designated sentence is imposed on the person; or
- (e) on such other day as may be specified, in respect of the minimum term, by the court imposing the new designated sentence.

## **5. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commenced.

*[Second reading presentation speech made in:–  
House of Assembly on 11 May 2023  
Legislative Council on 1 June 2023]*