

PARLIAMENT OF VICTORIA

Corrections (Amendment) Act 1996

Act No.

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Initiated in Assembly 11 September 1996

A BILL

to further amend the **Corrections Act 1986**, to repeal the **Victorian Prison Industries Commission Act 1983** and for other purposes.

Corrections (Amendment) Act 1996

The Parliament of Victoria enacts as follows:

PART 1—PRELIMINARY

1. *Purposes*

The main purposes of this Act are—

- (a) to further amend the **Corrections Act 1986**—
 - (i) to confer on the Secretary certain powers in relation to prison industries; and

(ii) to provide for the establishment of a
Prison Industry Advisory Committee;
and

(iii) to provide for powers of search and
seizure in police gaols; and

(iv) to enable private contractors and sub-
contractors to effectively manage and
provide security in police gaols; and

(v) to enable the appointment of a prison to
be revoked; and

(vi) to provide for compulsory prisoner
savings; and

(vii) to improve the operation of that Act;
and

(b) to repeal the **Victorian Prison Industries
Commission Act 1983**.

2. Commencement

(1) This Part comes into operation on the day on
which this Act receives the Royal Assent.

(2) Subject to sub-section (3), the remaining
provisions of this Act come into operation on a
day or days to be proclaimed.

(3) If a provision referred to in sub-section (2) does
not come into operation before 1 January 1998, it
comes into operation on that day.

PART 2—PRISON INDUSTRIES

Division 1—Amendments to Corrections Act 1986

3. *New Part 8B inserted*

After Part 8A of the **Corrections Act 1986**
insert—

"PART 8B—PRISON INDUSTRIES

**Division 1—Prison industry sites and prison
industries**

84F. *Appointment of prison industry sites*

- (1) The Minister may by Order appoint any place outside a prison under Part 3 as a prison industry site for the purposes of this Act.
- (2) The Minister may by Order revoke the appointment of a place as a prison industry site.
- (3) An Order under this section comes into operation on its making or on a later date stated in the Order.
- (4) The Minister must within 7 days after the making of an Order under this section publish a copy of the Order in the Government Gazette.

84G. *Secretary may carry on business for prison industries*

- (1) The Secretary may, for or in connection with the management of prison industries and prison industry sites—

- (a) carry on a business, or businesses, of manufacturing or producing goods, providing services or farming;
- (b) train prisoners or offenders in the trades and professions associated with any of those businesses;
- (c) sell goods and services manufactured, produced or provided in the course of any of those businesses;
- (d) sell produce and stock grown or reared on farms.

- (2) The Secretary may, for and on behalf of the Crown, enter into an agreement with any person for any purpose in connection with the Secretary's functions under sub-section (1).

84H. Secretary may direct prisoners and offenders to work

- (1) The Secretary may direct any prisoner or offender other than a prisoner on remand to work in any prison industry or work program approved by the Secretary.
- (2) A prisoner or offender must comply with a direction of the Secretary under this section.

Division 2—Prison Industry Advisory Committee

84I. Prison Industry Advisory Committee

- (1) There is established a Prison Industry Advisory Committee.
- (2) The Committee consists of not more than 10 members appointed by the Minister.

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- (3) The Minister must appoint one of the members of the Committee as the Chairperson of the Committee.

84J. Functions

The functions of the Committee are, at the direction of the Minister, to advise and make recommendations to the Minister on—

- (a) the provision of prison industries; and
- (b) any other matters relating to prison industries.

84K. Terms and conditions of appointment

- (1) A member of the Committee is appointed for the term, not exceeding 3 years, specified in the instrument of appointment.
- (2) A member of the Committee is eligible for re-appointment.
- (3) The **Public Sector Management Act 1992** does not apply to a member of the Committee in respect of the office of member.

84L. Remuneration

A member of the Committee, other than an officer or employee of the public service, is entitled to be paid the remuneration and allowances from time to time determined by the Minister in respect of that member.

84M. Resignation and termination

- (1) A member may resign from office by letter in writing signed by the member and delivered to the Minister.
- (2) The Minister may at any time remove a member of the Committee from office.

84N. Meetings of Committee

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- (1) The Committee must meet at the times and places determined by the Chairperson.
 - (2) The Chairperson must preside at meetings of the Committee at which he or she is present and, if he or she is not present at a meeting, the members present may elect one of their number to preside at the meeting.
 - (3) Subject to this section and the regulations, the procedure of the Committee is in its discretion.

84O. Disclosure of interest

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- (1) A member of the Committee who has any direct or indirect pecuniary interest in a matter being considered or about to be considered by the Committee—
 - (a) must as soon as practicable after the relevant facts have come to his or her knowledge, disclose the nature of his or her interest at a meeting of the Committee; and
 - (b) must not, after the disclosure, be present during any deliberation of the Committee with respect to the matter.
 - (2) The disclosure of an interest made by a member of the Committee at a meeting must be recorded in the minutes of the meeting.

84P. Periodic reports

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- (1) The Committee may, at any time, prepare and present to the Minister a report on its activities or any part of them.
 - (2) The Committee must, after receiving a request from the Minister for information on

any of its activities, give to the Minister the information requested."

4. Definitions

In section 3 of the **Corrections Act 1986**—

(a) for the definition of "Commission" **substitute**—

' "**Committee**" means the Prison Industry Advisory Committee established under Part 8B;';

(b) the definition of "Commission farm" is **repealed**;

(c) the definition of "Commission industrial site" is **repealed**;

(d) in the definition of "prison" for "a Commission farm and a Commission industrial site" **substitute** "a prison industry site";

(e) after the definition of "prisoner" **insert**—

' "**prison industry site**" means a place appointed as a prison industry site under section 84F;'.
'

5. Section 31A repealed

Section 31A of the **Corrections Act 1986** is **repealed**.

6. Regulations

After section 112(1)(h) of the **Corrections Act 1986** **insert**—

"(ha) Access to and operation of prison industries and prison industry sites;"

7. References to Victorian Prison Industries Commission

In the **Corrections Act 1986**—

- (a) in section 14, in the definition of "officer" paragraph (e) is **repealed**;
- (b) in section 33 in the definition of "visitor" paragraph (d) is **repealed**;
- (c) in section 34 **omit** "or a person who is the Chairman or a member of the Victorian Prison Industries Commission";
- (d) section 112(5) is **repealed**.

Division 2—Repeal and Transitional

8. Repeal of Victorian Prison Industries Commission Act 1983

The **Victorian Prison Industries Commission Act 1983** is **repealed**.

9. Abolition of Victorian Prison Industries Commission

On the commencement of this section—

- (a) the Victorian Prison Industries Commission is abolished and its members go out of office; and
- (b) the Secretary is the successor in law of the Commission; and
- (c) all rights, assets, liabilities and obligations of the Commission immediately before its abolition become rights, assets, liabilities and obligations of the Crown; and
- (d) the Secretary is substituted for the Commission as a party in any proceedings, contract, agreement or arrangement

commenced or made by or against or in relation to the Commission; and

- (e) the Secretary may, for and on behalf of the Crown, continue and complete any other continuing matter or thing commenced by or against or in relation to the Commission.

10. Staff of Commission

- (1) On the commencement of this section any person who was an officer of the Commission immediately before that commencement is entitled to be appointed to a position in the public service under the **Public Sector Management Act 1992** on the same terms and conditions and with the same accrued and accruing entitlements as applied to the person immediately before that commencement.
- (2) On the commencement of this section any person who was an employee of the Commission immediately before that commencement is entitled to be employed as a fixed term employee in the public service under the **Public Sector Management Act 1992** on the same terms and conditions and with the same accrued and accruing entitlements as applied to the person immediately before that commencement.

**PART 3—GENERAL AMENDMENTS TO CORRECTIONS
ACT 1986**

11. *New Part 9A inserted*

After Part 9 of the **Corrections Act 1986** insert—

**'PART 9A—SEARCH AND SEIZURE IN
POLICE GAOLS**

104A. *Definitions*

In this Part—

"charged person" means—

- (a) a person who has been charged with an offence who is detained in a police gaol; or
- (b) a person who is detained in a police gaol on the order of a court;

"detained person" means any person who is detained in a police gaol;

"officer in charge " means a member of the police force for the time being in charge of a police gaol;

"police officer" means a member of the police force.

104B. *Formal searches in police gaols*

- (1) A person who wishes to enter or remain in a police gaol as a visitor must, if asked, submit to a formal search.
- (2) In this section **"formal search"** means a search to detect the presence of drugs, weapons or metal articles carried out by an electronic or mechanical device.

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- (3) If, when asked, a person does not submit to a formal search, a police officer may prohibit the person from entering the police gaol or if the person is in the police gaol, order the person to leave the police gaol immediately.

104C. Search powers

- (1) For the good order or security of a police gaol or detained persons, the officer in charge of the police gaol may, at any time, exercise any of the following powers or order a police officer to exercise any of the following powers—
- (a) search any part of the police gaol; or
 - (b) search and examine any charged person, a visitor to the police gaol, a police officer or any other person in the police gaol;
 - (c) search and examine any thing in the police gaol or held by the police on behalf of a detained person;
 - (d) as well as the formal search required by section 104B, require a person wishing to enter a police gaol to submit to a search and examination of the person and of any thing in the person's possession or under the person's control; or
 - (e) conduct any search under paragraph (a), (b), (c), or (d) at random.
- (2) Sub-sections (1)(b) and (1)(d) do not apply to a visitor to a police gaol or person wishing to enter a police gaol who is—
- (a) a judge of the Supreme Court or County Court; or

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- (b) a magistrate; or
- (c) a relative or friend of a detained person;
or
- (d) visiting a detained person who is a child
within the meaning of the **Children and
Young Persons Act 1989**.
- (3) The officer in charge of a police gaol may
search or examine or order a police officer to
search or examine a detained person (other
than a charged person) if the officer in charge
believes on reasonable grounds that the
search or examination is necessary—
- (a) for the security or good order of the
police gaol; or
- (b) for the safety of persons at the police
gaol (whether in custody or not); or
- (c) to locate a weapon, or any thing that
may be used in the escape of a person
from a police gaol; or
- (d) to locate any thing connected with, or
affording evidence of, the commission
of the offence for which the person is
detained in the police gaol;
- (4) If a person, other than a detained person or a
police officer, refuses to submit to be
searched under this section while inside the
police gaol, the officer in charge of the police
gaol may order the person to leave the police
gaol immediately.
- (5) A person must comply with an order under
sub-section (4).

Penalty: 5 penalty units.

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- (6) The officer in charge of a police gaol may at any time make an order terminating a search under this section.

104D. Seizure

- (1) In carrying out searches under sections 104B and 104C, a police officer may seize any one or more of the following—
- (a) any thing found in the police gaol, whether in a person's possession or not, which the police officer believes on reasonable grounds jeopardises or is likely to jeopardise the security or good order of the police gaol or the safety of persons in the police gaol;
 - (b) any thing found on a detained person or in a detained person's possession, other than a thing which the detained person is authorised to wear or to possess under the regulations or a direction of the officer in charge of the police gaol;
 - (c) any thing which a detained person is authorised to wear or possess under the regulations or a direction of the officer in charge of the police gaol which the police officer believes on reasonable grounds jeopardises or is likely to jeopardise the security of the police gaol or the safety of persons in the police gaol;
 - (d) any thing which the police officer believes on reasonable grounds is connected with, or affords evidence of, the commission of the offence for which the person is detained in the police gaol.

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- (2) A police officer who seizes any thing under sub-section (1) must immediately inform the officer in charge of the police gaol.
- (3) The officer in charge of a police gaol must deal in accordance with the regulations with any thing, which is not a drug of dependence, and is seized under this section.'

12. *Authorisation of certain staff*

For section 9A(1A) of the **Corrections Act 1986** substitute—

"(1A) The Chief Commissioner of Police may, by instrument, authorise a contractor under Division 3 or a sub-contractor of that contractor or a person employed by that contractor or sub-contractor to exercise all or any of the functions or powers as may be exercised under section 27 of the **Bail Act 1977** or Part 9A of this Act or under the regulations made under this Act by a member of the police force."

13. *New section 9CA substituted*

For section 9CA of the **Corrections Act 1986** substitute—

"9CA. *Staff—police gaols*

A reference in section 27 of the **Bail Act 1977** or Part 9A of this Act or the regulations made under this Act to a member of the police force includes, in relation to the exercise of any function or power under that section or Part or those regulations, a reference to a person authorised under section 9A(1A) to exercise that function or power."

14. *Changes to prison locations*

- (1) After section 10(3) of the **Corrections Act 1986** insert—

"(3A) The Governor in Council may by Order revoke the appointment of any place or premises as a prison, including a place or premises listed in column 2 of Schedule 2."

- (2) In section 10(4) of the **Corrections Act 1986** after "(1)" insert "or (3A)".
- (3) In section 10(5) of the **Corrections Act 1986** after "(1)" insert "or (3A)".

15. *Repeal of definition*

In section 55(1) of the **Corrections Act 1986** the definition of "approved programme" is **repealed**.

16. *Prisoner money*

In section 112(1)(i) of the **Corrections Act 1986** after "held for them" insert "and the extent to which moneys held for a prisoner must be retained until the release of the prisoner from custody and the procedures for investment of those retained moneys and providing that prisoners are not entitled to any interest or other proceeds from the investment of those retained moneys".

17. *References to Director-General in Corrections Act 1986*

The **Corrections Act 1986** is amended as set out in Schedule 1.

18. *References to Director-General, Office of Corrections and prison officers in other Acts*

An Act specified in the heading to an item in Schedule 2 is amended as set out in that item.

SCHEDULES

SCHEDULE 1

**CONSEQUENTIAL AMENDMENTS TO CORRECTIONS ACT
1986**

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1. In section 3—

- (a) in paragraph (b) of the definition of "contractor" for "Director-General" **substitute** "Secretary";
- (b) **omit** the definition of "Director-General";
- (c) in the definition of "Governor" for "Director-General" **substitute** "Secretary";
- (d) in the definition of "prisoner" for "Director-General" **substitute** "Secretary";
- (e) after the definition of "Regional Manager" **insert**—

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' "Secretary" means Secretary to the Department of Justice under the **Public Sector Management Act 1992** and includes a person acting as the Secretary to the Department of Justice under that Act;'

2. In section 4—

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- (a) in sub-section (1) for "Director-General" **substitute** "Secretary";
- (b) in sub-section (2) for "Director-General's" **substitute** "Secretary's".

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3. In section 7—

- (a) sub-section (1) is **repealed**;
- (b) in sub-section (2) for "Office of Corrections or the Director-General" **substitute** "Secretary".

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4. In section 8—

- (a) for "Director-General" (wherever occurring) **substitute** "Secretary";
- (b) in sub-section (1) for "Director-General's" **substitute** "Secretary's".

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5. In section 8A for "Director-General" (wherever occurring) **substitute** "Secretary".
 6. In section 8E for "Director-General" (wherever occurring) **substitute** "Secretary".
 7. In section 8F(5) for "Director-General" **substitute** "Secretary".
 8. In section 9 for "Director-General" (wherever occurring) **substitute** "Secretary".
 9. In section 9AA for "Director-General" **substitute** "Secretary".
 10. In section 9A for "Director-General" (wherever occurring) **substitute** "Secretary".
 11. In section 9B for "Director-General" (wherever occurring) **substitute** "Secretary".
 12. In section 9D for "Director-General" (wherever occurring) **substitute** "Secretary".
 13. In section 9E for "Director-General" (wherever occurring) **substitute** "Secretary".
 14. In section 13 for "Director-General" (wherever occurring) **substitute** "Secretary".
 15. In section 15(1) for "Director-General" **substitute** "Secretary".
 16. In section 16 for "Director-General" (wherever occurring) **substitute** "Secretary".
 17. In section 17 for "Director-General" (wherever occurring) **substitute** "Secretary".
 18. In section 20—
 - (a) for "Director-General" (wherever occurring) **substitute** "Secretary";
 - (b) in sub-section (7) for "Director-General's" **substitute** "Secretary's".
 19. In section 23(4) for "Director-General" **substitute** "Secretary".
 20. In section 25(1) for "Director-General" **substitute** "Secretary".
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21. In section 26 for "Director-General" (wherever occurring) **substitute** "Secretary".
22. In section 29A(2)(a) for "Director-General" **substitute** "Secretary".
- 5 23. In section 30(1)—
- (a) in paragraph (a) of the definition of "confidential information" for "Director-General" **substitute** "Secretary";
- (b) in paragraph (b) of the definition of "position" for "Director-General" **substitute** "Secretary".
- 10 24. In section 31 for "Director-General" (wherever occurring) **substitute** "Secretary".
25. In section 33, in paragraph (g) of the definition of "visitor" for "Director-General" **substitute** "Secretary".
- 15 26. In section 38 for "Director-General" (wherever occurring) **substitute** "Secretary".
27. In section 40(2) for "Director-General" **substitute** "Secretary".
- 20 28. In section 41(2) for "Director-General" **substitute** "Secretary".
29. In section 42(5) for "Director-General's" **substitute** "Secretary's".
30. In section 43(1A) for "Director-General" (wherever occurring) **substitute** "Secretary".
- 25 31. In section 47(1)(j) for "Director-General" **substitute** "Secretary".
32. In section 48, in the definition of "disciplinary officer" for "Director-General" (wherever occurring) **substitute** "Secretary".
- 30 33. In section 49 for "Director-General" **substitute** "Secretary".
34. In section 52 for "Director-General" (wherever occurring) **substitute** "Secretary".
35. In section 53(1)(c) for "Director-General" (wherever occurring) **substitute** "Secretary".
- 35 36. In section 54A for "Director-General" (wherever occurring) **substitute** "Secretary".
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37. In section 56—
- (a) for "Director-General" (wherever occurring) **substitute** "Secretary";
 - (b) sub-section (5) is **repealed**.
38. In section 56A for "Director-General" (wherever occurring) **substitute** "Secretary".
39. In section 57 for "Director-General" (wherever occurring) **substitute** "Secretary".
40. In section 58A(1) for "Director-General" **substitute** "Secretary".
41. In section 58E for "Director-General" **substitute** "Secretary".
42. In section 61(2)(f) for "Director-General" **substitute** "Secretary".
43. In section 62—
- (a) for "Director-General" (wherever occurring) **substitute** "Secretary";
 - (b) in sub-section (3) for "Director-General's" **substitute** "Secretary's".
44. In section 63(2) for "Director-General" (wherever occurring) **substitute** "Secretary".
45. In section 67(1) after "Secretary" **insert** "of the Board".
46. In section 68—
- (a) in sub-section (1) after "Secretary" (where first occurring) **insert** "of the Board";
 - (b) in sub-section (2) after "Secretary" **insert** "of the Board".
47. In section 74(6) for "Director-General" **substitute** "Secretary".
48. In section 75 for "Director-General of Corrections" **substitute** "Secretary".
49. In section 79—
- (a) in sub-section (1)(a) for "Director-General" **substitute** "Secretary";
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(b) in sub-section (2)(a) after "Secretary" **insert** "of the Board".

50. In section 82 for "Director-General" **substitute** "Secretary".

51. In section 83 for "Director-General" (wherever occurring) **substitute** "Secretary".

52. In section 84(1) for "Director-General" **substitute** "Secretary".

53. In section 84B for "Director-General" (wherever occurring) **substitute** "Secretary".

54. In section 84D(5) for "Director-General" **substitute** "Secretary".

55. In section 85—

(a) in the definition of "act of misconduct" for "Director-General" **substitute** "Secretary";

(b) in the definition of "community corrections programme" for "Director-General" **substitute** "Secretary".

56. In section 87(1) for "Director-General" **substitute** "Secretary".

57. In section 90 for "Director-General" (wherever occurring) **substitute** "Secretary";

58. In section 91 for "Director-General" (wherever occurring) **substitute** "Secretary".

59. In section 94(7) for "Director-General" **substitute** "Secretary".

60. In section 95(1) for "Director-General" **substitute** "Secretary".

61. In section 97(1) for "Director-General" **substitute** "Secretary".

62. In section 98 for "Director-General" (wherever occurring) **substitute** "Secretary".

63. In section 104—

(a) for "Director-General" (wherever occurring) **substitute** "Secretary";

(b) in sub-section (1) for "Director-General's" **substitute** "Secretary's".

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64. In section 105 for "Director-General" (wherever occurring) **substitute** "Secretary";
65. In section 106—
- (a) for "Director-General" **substitute** "Secretary";
 - (b) for "Director-General's" **substitute** "Secretary's".
66. In section 107—
- (a) before "if the matter" **insert** "(d)";
 - (b) after "Director-General" (where last occurring) **insert**—
"and
 - (e) if the matter to which the reference relates is after the commencement of section 17 of the **Corrections (Amendment) Act 1996** within the responsibilities of the Secretary, deemed to refer to the Secretary".
67. In section 112 for "Director-General" (wherever occurring) **substitute** "Secretary".
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SCHEDULE 2

CONSEQUENTIAL AMENDMENTS TO VARIOUS ACTS

1. *Alcoholics and Drug-dependent Persons Act 1968*

1.1 In section 5(2)—

- (a) for "Minister administering the Office of Corrections" **substitute** "Minister administering the **Corrections Act 1986**";
- (b) for "Director-General of the Office of Corrections" **substitute** "Secretary to the Department of Justice".

2. *Children and Young Persons Act 1989*

2.1 In section 244(2) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".

2.2 In section 244(4) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".

3. *Community Services Act 1970*

3.1 In section 3 the definitions of "Director-General of Corrections" and "Office of Corrections" are **repealed**.

4. *Coroners Act 1985*

4.1 In section 3 in the definition of "person held in care" for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".

5. *Corrections (Management) Act 1993*

5.1 In section 5 in proposed section 29B(4) for "Director-General" **substitute** "Secretary".

6. *Crimes Act 1958*

6.1 In section 479C(1) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".

6.2 In section 479C(4) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".

6.4 In section 506 the definition of "Director-General" is **repealed**.

6.5 In section 507(4A) for "Director-General" **substitute** "Secretary to the Department of Justice".

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- 6.6 In section 507(6) for "Director-General" (where first occurring) **substitute** "Secretary to the Department of Justice".

7. *Firearms Act 1958*

- 7.1 In section 26(1)(b) for "on the staff of any gaol within the meaning of the **Community Services Act 1970**" **substitute** "who is employed as a prison officer within the meaning of the **Corrections Act 1986**".

8. *Intellectually Disabled Persons' Services Act 1986*

- 8.1 In section 37(3) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 8.2 In section 38(4) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 8.3 In section 39(2)—
- (a) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice";
 - (b) for "Office of Corrections" **substitute** "Department of Justice".
- 8.4 In section 40(3) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 8.5 In section 41(2)(b) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 8.6 In section 42(3) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 8.7 In section 42(5) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".

9. *Magistrates' Court Act 1989*

- 9.1 In section 70(c) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 9.2 In section 81(b) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 9.3 In section 82(2) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
- 9.4 In section 82D(1)(c)(iii) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice".
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10. Mental Health Act 1986

10.1 In section 16(1) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

10.2 In section 16(2)—

(a) for "Director-General of Corrections" **substitute**
"Secretary to the Department of Justice";

(b) for "Director-General" (where secondly and thirdly
occurring) **substitute** "Secretary".

10.3 In section 16(3) for "Director-General" **substitute**
"Secretary to the Department of Justice".

10.4 In section 16(4) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

10.5 In section 16(7) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

10.6 In section 32(1)(d) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

10.7 In section 37(3) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

10.8 In section 38—

(a) for "Director-General of Corrections" **substitute**
"Secretary to the Department of Justice";

(b) for "Office of Corrections" **substitute** "Department of
Justice".

10.9 In section 39(4) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

10.10 In section 46—

(a) for "Director-General of Corrections" **substitute**
"Secretary to the Department of Justice";

(b) for "Office of Corrections" **substitute** "Department of
Justice".

10.11 In section 47(4) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

10.12 In section 49(3) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

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- 10.13 In section 50(2) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
 - 10.14 In section 51(2)(b) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
 - 10.15 In section 52(3) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
 - 10.16 In section 52(5) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

In section 53A—

- (a) in paragraph (a) for "Director-General of Corrections" **substitute** "Secretary to the Department of Justice";
- (b) in paragraph (b) for "Office of Corrections" **substitute** "Department of Justice".

11. Sentencing Act 1991

- 11.1 In section 3(1) the definition of "Director-General of Corrections" is **repealed**.
- 11.2 In section 13(1) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.3 In section 13(3) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.4 In section 18I(1) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.5 In section 19(9) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.6 In section 23(1) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.7 In section 24 for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.8 In section 26(1) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.9 In section 44(1) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.10 In section 45 for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

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- 11.11 In section 47(1) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.12 In section 81(2)(b) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.13 In section 82(2)(b) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 11.14 In section 96(3)(c) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
- 10 11.15 In section 101(4) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".

12. *The Constitution Act Amendment Act 1958*

- 12.1 In section 124(2) for "Director-General of Corrections"
substitute "Secretary to the Department of Justice".
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