



ANNO QUADRAGESIMO

ELIZABETHAE II REGINAE

A.D. 1991

No. 22 of 1991

An Act to amend the Criminal Law (Sentencing) Act 1988, and the Children's Protection and Young Offenders Act 1979.

[Assented to 18 April 1991]

The Parliament of South Australia enacts as follows:

PART I PRELIMINARY

Short title

1. This Act may be cited as the *Statutes Amendment (Criminal Law Sentencing) Act 1991*.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

PART II AMENDMENT OF CRIMINAL LAW (SENTENCING) ACT 1988

Short title

3. The *Criminal Law (Sentencing) Act 1988* is referred to in this Part as "the principal Act".

Imposition of penalty without conviction

4. Section 16 of the principal Act is amended—

(a) by striking out "(but no other penalty)" and substituting "a sentence of community service, or both";

and

(b) by striking out "the fine" and substituting "the penalty".

Court may add or substitute certain penalties

5. Section 18 of the principal Act is amended by inserting "or finding a defendant guilty" after "convicting a defendant".

PART III
AMENDMENT OF CHILDREN'S PROTECTION AND
YOUNG OFFENDERS ACT 1979

Short title

6. The *Children's Protection and Young Offenders Act 1979* is referred to in this Part as "the principal Act".

Sentencing powers of Children's Court

7. Section 51 of the principal Act is amended—

(a) by inserting in paragraph (ab) of subsection (1) “, or without convicting the child” after “upon convicting the child”;

and

(b) by striking out from subsection (6) “sureties” and substituting “guarantees”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor