

INDETERMINATE SENTENCES.

No. 48 of 1954.

AN ACT to amend the *Indeterminate Sentences Act* 1921. [10 December, 1954.]

BE it enacted by His 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—(1) This Act may be cited as the *Indeterminate Sentences Act* 1954. Short title
and citation.

(2) The *Indeterminate Sentences Act* 1921, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section sixteen of the Principal Act is amended—

- (a) by omitting the words “by Order in Council direct” and substituting therefor the words, “, by licence under his hand, authorize”, and by inserting after the word “accordingly” the words “, upon and subject to such conditions as are specified in the licence.”;
- (b) by adding at the end thereof the following subsections:—

Conditions
for release
on probation.

“(2) In making a recommendation under this section, the Board may recommend the conditions (if any) that, in its opinion, should be imposed in respect of the release of the person to whom the recommendation relates (including, if the Board considers it desirable, a condition that the person shall be placed under the supervision of a probation officer appointed under the *Probation of Offenders Act* 1934, or of such other person as the Board may appoint in that behalf).

“(3) Where a person to whom a licence under this section relates is placed under the supervision of a probation officer or other person appointed by the Board in that behalf, that probation officer or other person shall report

to the Board, at intervals of not more than three months and at such other times as the Board may require, on the conduct of the first-mentioned person during the currency of the licence.

“(4) Upon the recommendation of the Board, but not otherwise, the Governor may at any time, by order in writing, revoke a licence under this section.

“(5) No person to whom a licence under this section relates shall, during the currency of the licence—

I Fail to—

(a) Produce the licence whenever required so to do by a judge, police magistrate, or justice before whom he may be brought when charged with an offence, or by any police officer in whose custody he may be: or

(b) Furnish a reasonable excuse for not producing the licence when so required to produce it: or

II Contravene or fail to comply with any condition that is specified in the licence.

Penalty: Imprisonment for three months.”.

3 Sections seventeen, eighteen, and nineteen of the Principal Act are repealed and the following sections are substituted therefor:—

Recommittal
of persons
released on
probation.

“17—(1) Where a licence under section sixteen is revoked, a justice may issue a warrant for the apprehension of the person to whom the licence relates.

(2) Where a person is apprehended under a warrant under this section he shall forthwith be brought before a justice who shall thereupon issue a warrant for the recommittal of that person to a reformatory prison and he shall be so recommitted accordingly, and shall thereupon be deemed to have been detained continuously in that reformatory prison as if no licence had been granted authorizing his release therefrom on probation.

(3) Where a person to whom a licence under section sixteen relates is, during the currency of the licence, convicted of an offence (whether a crime or not) and, on being so convicted, is sentenced to a fixed term of imprisonment, he shall, upon the expiration of that fixed term of imprisonment, be deemed to have been recommitted to a reformatory prison, and sub-

section (2) of this section shall apply to him accordingly, as if he had been so recommitted pursuant to a warrant under that subsection.

(4) Notwithstanding anything in subsection (3) of this section, if a person to whom that subsection relates was, before being released on probation pursuant to the licence, transferred from a gaol to a reformatory prison, he shall serve the unexpired portion of his original sentence in addition to the fixed sentence imposed on him in respect of the offence of which he is convicted during the currency of the licence.

“ 18 If a licence under section sixteen remains unrevoked for a period of two years after the date on which it is issued the person to whom the licence relates shall be deemed to have suffered in full the imprisonment or detention, as the case may be, to which he was sentenced.”.

Person released on probation deemed to have suffered his original sentence if licence unrevoked for two years.

FORESTRY.

No. 49 of 1954.

AN ACT to amend the *Forestry Act* 1920. [10 December, 1954.]

BE it enacted by His 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—(1) This Act may be cited as the *Forestry Act* 1954. Short title and citation.
(2) The *Forestry Act* 1920, as subsequently amended, is in this Act referred to as the Principal Act.

2—(1) In this Act, unless the contrary intention appears— Interpretation. Cf. 9 & 10 Geo. VI. No. 64. s. 3.
“ cord ” means the quantity of round or split pulp-wood that can be contained in a stack four feet wide, four feet high, and eight feet long;