



## HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Wednesday, 23 June 1999

CRIMINAL JUSTICE AMENDMENT BILL (NO. 6)

### *Proposed Amendments*

Patricia Schnauer, in Committee, to move the following amendments:

*Clause 2:* To omit from line 12 on page 1 the word "subsection", and substitute the word "subsections".

To insert, after new subsection (2) in lines 13 to 18 on that page, the following subsection:

"(2A) Despite any other provision of this section, if a court is satisfied that the commission of an offence of murder involved home invasion, the court—

"(a) Must impose under subsection (1) a minimum period of imprisonment of not less than 13 years:

"(b) May impose a longer minimum period of imprisonment if the circumstances of the offence are sufficiently serious to justify a minimum period of imprisonment of more than 13 years.

To omit from line 8 on page 2 (new subsection (5A)) the expression "subsections (2) and (5)", and substitute the words "this section".

To insert, after line 12 on that page, the following subclauses:

(3) Section 80 of the principal Act is amended by adding the following subsection:

"(8) For the purposes of subsection (2A), sections 17A and 17CA of the Crimes Act 1961 apply as if murder were an offence specified in section 17C of that Act."

(4) Section 80 of the principal Act (as amended by this section) applies in respect of the making of any order under that section on or after the date of commencement of this section, even if the offence concerned was committed before that date.

*New clause 3:* To add the following subclause:

(2) Form 11A of the First Schedule of the Criminal Justice Regulations 1985 is consequentially amended by inserting, immediately before the paragraph beginning "I am satisfied that", the following provision:

*“[In the case of an offence of murder that involved home invasion, it is sufficient that, instead of the following statement, there be a statement that indicates which provision of section 80 (2A) applies.]”*