

House of Representatives
Supplementary Order Paper

Tuesday, 1 June 2010

Statutes Amendment Bill

Proposed amendment

Hon Nathan Guy, in Committee, to move the following amendment:

New Part 38A

To insert the following Part after *Part 38* (after line 15 on page 42):

Part 38A
Sentencing Act 2002

135A Principal Act amended

This Part amends the Sentencing Act 2002.

135B Interpretation

The definition of **instrument of crime** in section 4(1) is amended by adding “; and” and also by adding the following paragraph:

“(c) in relation to any property referred to in paragraphs (a) and (b), the proceeds of any disposition of that property or any other property into which that property is converted, after the commission of the qualifying instrument forfeiture offence, except to the extent provided otherwise by any order of a court under this Act or the Criminal Proceeds (Recovery) Act 2009, excluding any severable interest or granting relief”.

Explanatory note

This Supplementary Order Paper amends the Statutes Amendment Bill to insert *new Part 38A*. The new Part amends the definition of an instrument of crime

in the Sentencing Act 2002, to reconcile an inconsistency with the equivalent definition in the Criminal Proceeds (Recovery) Act 2009.
