

House of Representatives

Supplementary Order Paper

Tuesday, 27 March 2012

Sentencing (Aggravating Factors) Amendment Bill

Proposed amendments

Charles Chauvel, in Committee, to move the following amendments:

Clause 5

In *clause 5*, replace “paragraph” (line 7 on page 2) with “paragraphs”.

In *clause 5*, *new section 9(1)*, after *paragraph (fa)* (after line 10 on page 2), insert:

“(fb) that the victim was an emergency health or fire services provider acting in the course of his or her duty at the scene of an emergency.”

In *clause 5*, insert as *subclause (2)*:

(2) Section 9 is amended by inserting the following subsection after subsection (4):

“(4A) In **subsection (1)(fb)**, **emergency health or fire services provider** means a person who has a legal duty (under any enactment, employment contract, other binding agreement or arrangement, or other source) to, at the scene of an emergency, provide services that are either or both—

“(a) ambulance services, first aid, or medical or paramedical care:

“(b) services provided by or on behalf of a fire brigade (as defined in section 2(1) of the Fire Service Act 1975) to save life or property.”

Explanatory note

This Supplementary Order Paper sets out amendments to the Sentencing (Aggravating Factors) Amendment Bill. That Bill amends section 9(1) of the Sen-

tencing Act 2002, which lists aggravating factors to be taken into account by the court when sentencing or otherwise dealing with an offender. *Clause 5* adds to that list a new factor; that the victim was a constable, or prison officer, acting in the course of his or her duty. The amendments add a second new factor; that the victim was an emergency health or fire services provider acting in the course of his or her duty at the scene of an emergency. This Supplementary Order Paper replaces Supplementary Order Paper No 8.
