

Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023

Explanatory notes for SL 2023 No. 153

Made under the

Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023

General Outline

Short Title

Proclamation to commence Part 3A of the *Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023*.

Authorising law

Section 2 of the *Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023*.

Policy objectives and the reasons for them

The objective of the Proclamation is to fix 27 October 2023 as the commencement date for Part 3A of the *Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Act 2023* (the Act).

The objective of Part 3A of the Act is to validate the appointment of the Inspector of Detention Services (the Inspector) under the *Ombudsman Act 2001* (Ombudsman Act) during the period from 9 December 2022 to 28 September 2023.

Section 2 of the Act provides for commencement on a day to be fixed by proclamation.

Achievement of policy objectives

The policy objective is achieved by fixing 27 October 2023 as the commencement date for Part 3A of the Act.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the objectives of the authorising law.

Inconsistency with policy objectives of other legislation

The Proclamation is not inconsistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

The Proclamation is the only effective means of achieving the policy objectives.

Benefits and costs of implementation

There are no costs associated with commencing Part 3A of the Act.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

The Inspector has been consulted on the need for the amendments in Part 3A.