**Information Notice**

**Act Title** **Corrections Act 1986**

**Information Title:** **Retrospective Commencement**

**Version:** **092**

The insertion of Part 10A of the **Corrections Act 1986** by section 3 of the **Corrections Further Amendment Act 2013**, No. 26/2013 is taken to have come into operation on 20 March 2013.

Section 3 reads as follows:

 3 New Part 10A inserted

After Part 10 of the **Corrections Act 1986 insert**—

"Part 10A—Validation

 112C Validation of actions and decisions

 (1) An action taken or purporting to be taken or a decision made or purporting to be made by the Director-General or the Secretary to the Department of Justice or a delegate or purported delegate of the Director-General or the Secretary in the purported exercise of a power or function under section 17 of this Act as in force before the commencement of section 19 of the **Corrections (Amendment) Act 1994** has, and is taken always to have had, the same force and effect as it would have had if that section 19 had been in operation when the action was taken or purported to be taken or the decision was made or purported to be made.

 (2) A charge or additional charge imposed or purporting to be imposed by or on behalf of the Director-General or the Secretary to the Department of Justice or a Governor on or after 24 March 1993 and before 8 April 2004 for the purchase, in a prison, of tobacco products was, and is taken always to have been, validly imposed.

 (3) Any act or thing done or omitted to be done, whether under a power conferred by or under an enactment or otherwise, before or after the commencement of section 19 of the **Corrections (Amendment) Act 1994** in reliance on or in relation to an action or decision referred to in subsection (1) has the same effect, and gives rise to the same consequences, and is to be regarded as always having had the same effect and having given rise to the same consequences, as if that section 19 had been in operation when the action was taken or purported to be taken or the decision was made or purported to be made.

 (4) A right or liability conferred or imposed in relation to, or affected by an action or decision referred to in subsection (1) is exercisable or enforceable, and is to be regarded as always having been exercisable or enforceable, as if section 19 of the **Corrections (Amendment) Act 1994** had been in operation when the action was taken or purported to be taken or the decision was made or purported to be made.

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