

1993—No. 489

PRISONS ACT 1952—REGULATION

(Relating to State-wide bans on visiting prisons)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Prisons Act 1952, has been pleased to make the Regulation set forth hereunder.

JOHN HANNAFORD, MLC
Attorney General and Minister for Justice.

The Prisons (General) Regulation 1989 is amended by inserting after clause 107 the following clause:

State-wide ban on persons visiting prisons etc.

107A. (1) The Commissioner may direct, in writing, that a person specified in the direction be prevented:

- (a) from entering every prison or prison complex in the State; and
- (b) from visiting any or all prisoners at every such prison or prison complex,

if the Commissioner is satisfied that the security, discipline or good order of any one or more prisons or prison complexes would be adversely affected if the person were to be permitted to visit that or those prisons or prison complexes.

(2) Any such direction has effect for such period as the Commissioner considers appropriate and may be revoked by the Commissioner at any time.

(3) Despite any such direction being in force, the Commissioner may, in such circumstances as the Commissioner considers appropriate, permit the person to whom the direction applies to visit a particular prison, prison complex or prisoner in accordance with the provisions of this Part.

EXPLANATORY NOTE

The object of this Regulation is to amend the Prisons (General) Regulation 1989 to enable the Commissioner of Corrective Services to ban visits by specified persons to prisons on a State-wide basis if the security, discipline or good order of any one or more prisons would be adversely affected. Such a ban may be lifted in particular cases to permit a visit, but only in special circumstances considered to be appropriate by the Commissioner.

This Regulation is made under the Prisons Act 1952, including section 50 (the general regulation-making power, in particular section 50 (1) (a), (g) and (i)).
