

1996—No. 45

PRISONERS (INTERSTATE TRANSFER) ACT 1982—ORDER

(Relating to the transfer of prisoners between New South Wales and the Australian Capital Territory)

NEW SOUTH WALES



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A. M. GLEESON,
By deputation from His Excellency the Governor.

I, Rear Admiral PETER ROSS SINCLAIR, A.C., Governor of the State of New South Wales, with the advice of the Executive Council, in pursuance of section 6 of the Prisoners (Interstate Transfer) Act 1982, and being satisfied as to the matters mentioned in subsection (2) of that section, do, by this my Order, declare that for the purposes of that Act:

- (a) the Prisoners (Interstate Transfer) Act 1993 of the Australian Capital Territory is an interstate law; and
- (b) the Supreme Court of New South Wales is the corresponding court in relation to the Supreme Court of the Australian Capital Territory; and
- (c) any Local Court in New South Wales is a corresponding court in relation to the Magistrates Court of the Australian Capital Territory.

Signed at Sydney, this 7th day of February 1996.

By His Excellency's Command,

R. J. Debus,
Minister for Corrective Services

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EXPLANATORY NOTE

The Prisoners (Interstate Transfer) Act 1982 is part of a scheme under which a prisoner is able to be transferred between institutions in participating Australian jurisdictions where this is considered to serve the prisoner's best interests.

The Australian Capital Territory has passed an Act that corresponds to the New South Wales Act and is thus eligible to participate with New South Wales in the transfer scheme when certain formalities required by legislation supporting the scheme are finalised. This order formally recognises the ACT legislation and designates courts corresponding to ACT courts for the purposes of the scheme, as the New South Wales Act requires. Full bilateral participation in the scheme will be enabled when a similar order is made and published in the ACT under its enabling legislation.

The order is made under section 6 of the Prisoners (Interstate Transfer) Act 1982. New South Wales has already, by a similar order, recognised all other Australian jurisdictions for the purposes of the scheme.
