



New South Wales

Prisons (Administration) Amendment (Law Revision) Regulation 1999

under the

Correctional Centres Act 1952

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Correctional Centres Act 1952*.

BOB DEBUS, M.P.,

Minister for Corrective Services

Explanatory note

The objects of this Regulation are:

- (a) to rename the *Prisons (Administration) Regulation 1995* as the *Correctional Centres (Administration) Regulation 1995*, and
- (b) to replace outdated references to prisons, prisoners and prison officers with references to correctional centres, inmates and correctional officers respectively, and
- (c) to make minor amendments to provisions relating to various positions within the Department of Corrective Services, the renaming of the Offenders Review Board and the award of meritorious service medals.

The amendments are consequential on:

- (a) the commencement of the *Prisons Amendment Act 1996* (which renamed the *Prisons Act 1952* as the *Correctional Centres Act 1952* and replaced references to prisons, prisoners and prison officers throughout the Act with references to correctional centres, inmates and correctional officers respectively), and

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- (b) a restructuring of positions within the Department of Corrective Services, and
- (c) the renaming of the Offenders Review Board as the Parole Board.

This Regulation is made under the *Correctional Centres Act 1952*, including section 50 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Prisons (Administration) Amendment (Law Revision) Regulation 1999*.

2 Amendment of Prisons (Administration) Regulation 1995

The *Prisons (Administration) Regulation 1995* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 1

Omit the clause. Insert instead:

1 Name of Regulation

This Regulation is the *Correctional Centres (Administration) Regulation 1995*.

[2] Clause 3 Definitions

Omit “*Prisons Act 1952*” from the definition of *the Act*.
Insert instead “*Correctional Centres Act 1952*”.

[3] Part 2, heading

Omit the heading. Insert instead:

Part 2 Governors of correctional centres

[4] Clauses 4–6

Omit “prison” and “prisons” wherever occurring.
Insert instead “correctional centre” and “correctional centres” respectively.

[5] Clause 7 Inmates confined to cells

Omit “prison” and “prisoner”.
Insert instead “correctional centre” and “inmate” respectively.

[6] Clause 8 Segregated inmates

Omit “prison”, “prisoner” and “prisoners” wherever occurring.
Insert instead “correctional centre”, “inmate” and “inmates” respectively.

[7] Part 3, heading

Omit the heading. Insert instead:

**Part 3 Correctional centre medical officers and
medical provisions**

[8] Clause 9 Duties generally

Omit “prison” and “prisoners” wherever occurring.
Insert instead “correctional centre” and “inmates” respectively.

[9] Clause 10 Examination of inmates

Omit “prison”, “each prisoner”, “a prisoner”, “the prisoner” and “the prisoner’s” wherever occurring.
Insert instead “correctional centre”, “each inmate”, “an inmate”, “the inmate” and “the inmate’s” respectively.

[10] Clause 11 Inmates at risk or a risk to others

Omit “prison”, “a prisoner”, “the prisoner” and “sick prisoner” wherever occurring (except in clause 11 (2) (a)).
Insert instead “correctional centre”, “an inmate”, “the inmate” and “sick inmate” respectively.

[11] Clause 11 (2) (a)

Omit “a prisoner”, “the prisoner” and “in prison”.
Insert instead “an inmate”, “the inmate” and “in a correctional centre” respectively.

[12] Clause 12 Inmates with special needs

Omit “prison” and “prisoner” wherever occurring.
Insert instead “correctional centre” and “inmate” respectively.

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Schedule 1 Amendments

[13] Clause 13 Medical history cards

Omit “prison”, “the prisoner”, “sick prisoner”, “A prisoner’s”, “The prisoner’s” and “the prisoner’s” wherever occurring.

Insert instead “correctional centre”, “the inmate”, “sick inmate”, “An inmate’s”, “The inmate’s” and “the inmate’s” respectively.

[14] Clauses 14, 15 and 21

Omit “a prisoner”, “the prisoner” and “prison” wherever occurring.

Insert instead “an inmate”, “the inmate” and “correctional centre” respectively.

[15] Clause 14 (1)

Omit clause 14 (1) (b), (c) and (d). Insert instead:

(b) the Senior Assistant Commissioner, Inmate and Custodial Services,

(c) the Assistant Commissioner, Inmate Management,

[16] Clause 14 (1) (f)

Omit “Director, Legal Services”.

Insert instead “Corporate Counsel”.

[17] Clause 14 (1) (l)

Omit the paragraph. Insert instead:

(l) the Manager, HIV and Health Promotion Unit,

[18] Clause 14 (1) (n)

Omit “Offenders Review Board”. Insert instead “Parole Board”.

[19] Clause 4 (3)

Omit “Assistant Commissioner, Operations” and “Assistant Commissioner”.

Insert instead “Senior Assistant Commissioner, Inmate and Custodial Services” and “Senior Assistant Commissioner” respectively.

[20] Clause 16 Reports to governor

Omit “prison”, “any prisoner”, “prisoners”, “a prisoner” and “the prisoner” wherever occurring.

Insert instead “correctional centre”, “any inmate”, “inmates”, “an inmate” and “the inmate” respectively.

[21] Clause 17 Infectious or contagious diseases

Omit “prison”, “a prisoner” and “prisoners” wherever occurring.
Insert instead “correctional centre”, “an inmate” and “inmates” respectively.

[22] Clause 18 Inspection of food and clothing

Omit “prison”, “prisoners” and “prisoners’” wherever occurring.
Insert instead “correctional centre”, “inmates” and “inmates’” respectively.

[23] Clause 19 Inspection of inmates specially confined

Omit “prison”, “prisoner” and “prisoner’s” wherever occurring.
Insert instead “correctional centre”, “inmate” and “inmate’s” respectively.

[24] Clause 20 Death of inmates

Omit “prison”, “a prisoner” and “the prisoner” wherever occurring.

Insert instead “correctional centre”, “an inmate” and “the inmate” respectively.

[25] Part 4, heading

Omit the heading. Insert instead:

Part 4 Correctional officers and other officers

[26] Clause 22 Orders and instructions to be obeyed

Omit "prison officer" and "the prison" wherever occurring.
Insert instead "correctional officer" and "the correctional centre".

[27] Clause 23 Declaration about associations with inmates

Omit "prison officer" and "prisoner" wherever occurring.
Insert instead "correctional officer" and "inmate" respectively.

[28] Clause 23 (1)

Omit "prison" where secondly occurring.
Insert instead "correctional centre".

[29] Clause 24 Suspected offences by inmates

Omit "prison officer", "a prisoner", "the prison", "such prisoner to the prisoner's cell" and "the prisoner" wherever occurring.
Insert instead "correctional officer", "an inmate", "the correctional centre", "such inmate to the inmate's cell" and "the inmate" respectively.

[30] Clauses 25, 28, 30 (1), 33, 36 (2), 40–42, 45, 47 and 49

Omit "prison officer" wherever occurring.
Insert instead "correctional officer".

[31] Clause 26 Keys

Omit “prison officer” and “the prison”.
Insert instead “correctional officer” and “the correctional centre” respectively.

[32] Clause 27 Personal searches

Omit “prison”. Insert instead “correctional centre”.

[33] Clause 29 Personal possessions

Omit “a prison by a prison officer” and “the prison” wherever occurring.
Insert instead “a correctional centre by a correctional officer” and “the correctional centre” respectively.

[34] Clause 31 Certain work prohibited

Omit “prison officer” and “a prisoner”.
Insert instead “correctional officer” and “an inmate” respectively.

[35] Clause 32 Insulting or abusive language

Omit “prison officer”, “any prisoner” and “the prison” wherever occurring.
Insert instead “correctional officer”, “any inmate” and “the correctional centre” respectively.

[36] Clause 32A Smoking in non-smoking areas of correctional centres prohibited

Omit “prison officer” from clause 32A (1).
Insert instead “correctional officer”.

[37] Clause 34 Vigilance

Omit “prison officer“ and ”governor of the prison“ wherever occurring.

Insert instead “correctional officer” and “governor of the correctional centre” respectively.

[38] Clause 35 Reporting of misconduct by correctional officers

Omit “prison officer” wherever occurring.

Insert instead “correctional officer”.

[39] Clause 36 Definitions

Omit “a prison” and “armed prison officer” from the definition of *armed post*.

Insert instead “a correctional centre” and “armed correctional officer” respectively.

[40] Clause 36 (1), definition of “senior officer”

Omit “prison officer” and “Senior Prison Officer”.

Insert instead “correctional officer” and “Senior Correctional Officer” respectively.

[41] Clause 37 Authority to carry firearms

Omit “prison officer” and “prison armoury”.

Insert instead “correctional officer” and “correctional centre armoury” respectively.

[42] Clause 38 Armed posts

Omit “prison” wherever occurring from clause 38 (1).

Insert instead ”correctional centre”.

[43] Clause 38 (2)

Omit “prison officer” and “the prison”.
Insert instead “correctional officer” and “the correctional centre” respectively.

[44] Clause 39 Issue of firearms to correctional officers not at armed posts

Omit “prison officers”, “a prison”, “the prison” and “prisoners” wherever occurring.
Insert instead “correctional officers”, “a correctional centre”, “the correctional centre” and “inmates” respectively.

[45] Clause 43 Duties of correctional officers generally

Omit “prison officer”. Insert instead “correctional officer”.

[46] Clause 44 Maintenance of safe distances

Omit “prison officer”, “a prison”, “the prison”, “any prisoner” and “a prisoner” wherever occurring.
Insert instead “correctional officer”, “a correctional centre”, “the correctional centre”, “any inmate” and “an inmate” respectively.

[47] Clause 46 Use of armed posts

Omit “prison officer”, “prison officers”, “the prison” and “prison tower”.
Insert instead “correctional officer”, “correctional officers”, “the correctional centre” and “correctional centre tower” respectively.

[48] Clause 48 Authority to discharge firearms

Omit “prison officer”, “prison officers”, “enter a prison”, “prison security” and “a prisoner” wherever occurring.
Insert instead “correctional officer”, “correctional officers”, “enter a correctional centre”, “correctional centre security” and “an inmate” respectively.

[49] Clause 50 Notice of discharge

Omit “prison officer”, “a prison” and “governor of the prison” wherever occurring.

Insert instead “correctional officer”, “a correctional centre” and “governor of the correctional centre” respectively.

[50] Clause 51 Correctional centre delivery

Omit “prison”. Insert instead “correctional centre”.

[51] Clause 52

Omit the clause. Insert instead:

52 Order of ranking of correctional officers

The order of ranking of correctional officers, in descending order, is as follows:

Senior Assistant Commissioner
Assistant Commissioner
Chief Superintendent
Superintendent (Grade 1)
Superintendent (Grade 2)
Superintendent (Grade 3)
Deputy Superintendent (Grade 1)
Deputy Superintendent (Grade 2)
Deputy Superintendent (Grade 3)
Deputy Superintendent (Industries) (Grade 4)
Deputy Superintendent (Industries) (Grade 5)
Senior Assistant Superintendent
Senior Assistant Superintendent (Industries)
Assistant Superintendent
Assistant Superintendent (Industries)
Senior Correctional Officer
Senior Overseer
Correctional Officer First Class
Overseer
Correctional Officer
Probationary Correctional Officer

[52] Clause 56A Non-smoking areas in correctional centres

Omit “prison” wherever occurring.
Insert instead “correctional centre”.

[53] Clause 56C Short descriptions of offences

Omit “**Prisons (General) Regulation 1995**” from the Table.
Insert instead “**Correctional Centres (General) Regulation 1995**”.

[54] Schedule 1 Awards

Omit the following from the matter that appears under the heading
“*Meritorious Service Medal*”:

For the completion of each additional 10 years of service
a bronze bar lettered with the total number of years of
meritorious service may be awarded to the officer.

Insert instead:

For the completion of each additional 5 years of service
a clasp lettered with the total number of years of
meritorious service may be awarded to the officer, as
follows:

- (a) after 25 years of service—a clasp of bronze colour,
- (b) after 30 years of service—a clasp of silver colour,
- (c) after 35 years of service—a clasp of gold colour,
- (d) after 40 years of service—a further clasp of gold colour.

In addition, for the completion of each additional 5 years
of service (beyond 20 years) a rosette may be awarded to
the officer, as follows:

- (a) after 25 years of service—a rosette of bronze colour.

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- (b) after 30 years of service—a rosette of silver colour,
- (c) after 35 years of service—a rosette of gold colour,
- (d) after 40 years of service—a further rosette of gold colour.