



New South Wales

Children (Interstate Transfer of Offenders) Regulation 2010

under the

Children (Interstate Transfer of Offenders) Act 1988

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Children (Interstate Transfer of Offenders) Act 1988*.

GRAHAM WEST, MP
Minister for Juvenile Justice

Explanatory note

The object of this Regulation is to remake, with minor amendments, the provisions of the *Children (Interstate Transfer of Offenders) Regulation 2005*, which is repealed on 1 September 2010 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation declares other States that have enacted legislation dealing with the interstate transfer of young offenders (State is defined to include Territory). This enables the Minister for Juvenile Justice to enter into agreements with those States and Territories for the transfer of young offenders between those States and Territories and New South Wales.

This Regulation is made under the *Children (Interstate Transfer of Offenders) Act 1988*, including sections 4 (2) and 22 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters arising under legislation that is substantially uniform or complementary with legislation of another State or Territory.

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Clause 1 Children (Interstate Transfer of Offenders) Regulation 2010

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under the

Children (Interstate Transfer of Offenders) Act 1988

1 Name of Regulation

This Regulation is the *Children (Interstate Transfer of Offenders) Regulation 2010*.

2 Commencement

This Regulation commences on 1 September 2010 and is required to be published on the NSW legislation website.

Note. This Regulation replaces the *Children (Interstate Transfer of Offenders) Regulation 2005* which is repealed on 1 September 2010 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

the Act means the *Children (Interstate Transfer of Offenders) Act 1988*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Legislation of other States and Territories

For the purposes of section 4 (2) of the Act, the following States are declared to have enacted legislation dealing with the interstate transfer of young offenders:

Australian Capital Territory

Northern Territory

Queensland

South Australia

Tasmania

Victoria