

# Prisoners (Interstate Transfer) Regulation 2004

[2004-574]



New South Wales

## Status Information

### Currency of version

Repealed version for 20 August 2004 to 31 August 2009 (accessed 30 November 2024 at 2:35)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2009.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 September 2009

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# Prisoners (Interstate Transfer) Regulation 2004



New South Wales

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Prisoners (Interstate Transfer) Act 1982*.

JOHN HATZISTERGOS, M.L.C., Minister for Justice

## 1 Name of Regulation

This Regulation is the *Prisoners (Interstate Transfer) Regulation 2004*.

## 2 Commencement

This Regulation commences on 1 September 2004.

### Note—

This Regulation replaces the *Prisoners (Interstate Transfer) Regulation 1999*, which is repealed on 1 September 2004 by section 10 (2) of the *Subordinate Legislation Act 1989*.

## 3 Definitions

(1) In this Regulation:

**Commissioner** means the Commissioner of Corrective Services.

**the Act** means the *Prisoners (Interstate Transfer) Act 1982*.

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

## 4 Consent for transfer

For the purpose of section 13 (2) of the Act, the following are prescribed officers:

- (a) the Commissioner,
- (b) an officer of the Department of Corrective Services authorised by the Commissioner to certify that a consent or request required under section 13 (1) of the Act has been given or made.

## 5 Certification of documents

For the purpose of section 26 (2) of the Act, a copy of an order or document referred to in

section 26 (1) of the Act is to be certified by the Commissioner, or an officer of the Department of Corrective Services authorised by the Commissioner to certify the copy, by endorsement of the copy with a statement, signed by the person certifying it, that indicates the following:

- (a) the name of the person certifying the copy,
- (b) the position in the Department of Corrective Services held by the person certifying the copy,
- (c) that the person certifies that the copy is a true and accurate copy of the original order or document described in the statement.

## **6 Application for revocation of order of transfer**

For the purpose of section 34 of the Act, the holders of the following offices or positions are prescribed as persons who may make an application for the revocation of an order of transfer:

- (a) the Attorney General,
- (b) the Minister for Justice,
- (c) the Commissioner,
- (d) the Director of Public Prosecutions.

## **7 Savings**

Any act, matter or thing that, immediately before the repeal of the *Prisoners (Interstate Transfer) Regulation 1999*, had effect under that Regulation is taken to have effect under this Regulation.