

2000

**THE LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL
TERRITORY**

REMAND CENTRES REGULATIONS AMENDMENT

SUBORDINATE LAW NO. 45 OF 2000

EXPLANATORY MEMORANDUM

Circulated by the authority of

Gary Humphries MLA

Attorney-General

General Outline

These regulations provide for quarterly notification to the Attorney-General of transfers of persons remanded into the custody of the administrator responsible for remand centres and replaces the current requirement to notify each transfer of remandee. They will simplify the current arrangements for notification.

Financial Implications

These regulations are intended to be revenue neutral.

Clause 1 – Commencement

This clause provides that these regulations commence on notification in the Gazette.

Clause 2 – Regulations amended

Clause 2 explains that these regulations amend the *Remand Centres Regulations 1976*.

Clause 3 – Substitution

[Regulation 2 – Definition for regulations]

This clause omits regulation 2 and substitutes new regulation 2.

The proposed regulation 2 defines the terms “administrator”, “minister of religion” and “the Act”.

Clause 4 – Substitution

[PART 4 – TRANSFER OF PEOPLE REMANDED

Regulation 23 – Notice of transfers from the Territory]

This clause omits Part IV and substitutes new Part IV. Part IV includes only regulation 23.

Proposed subregulation 23(1) obliges the administrator to give the Minister written notice for each quarter of a financial year of transfers of remandees outside the Territory. The notice is to be given within 14 days after the end of the quarter.

Proposed subregulation 23(2) provides that the quarterly notice must state the name of each remandee transferred, the circumstances that made the transfer necessary or desirable, and the criteria for deciding to transfer the remandee.

Proposed subregulation 23(3) obliges the Minister, within 14 days after receiving the quarterly notice, to give a copy of it to the Legislative Assembly Standing Committee on Justice and Community Safety.

Proposed subregulation 23(4) defines the terms “quarter” and “remandee” for the purpose of proposed regulation 23.

Under the existing regulation 23, the administrator must notify the Minister about each transfer of remandee from the Territory, and the Minister must consolidate the notices for each quarter and provide a copy of the consolidation to the Standing Committee on Justice and Community Safety of the Legislative Assembly.