



Australian Capital Territory

# **Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Regulation 2024**

**SL2024-34**

made under the

**Monitoring of Places of Detention (Optional Protocol to the  
Convention Against Torture) Act 2018**

**Republication No 1**

**Effective: 18 September 2024**

Republication date: 18 September 2024

Regulation not amended

## About this republication

### The republished law

This is a republication of the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Regulation 2024*, made under the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 18 September 2024. It also includes any commencement, repeal or expiry affecting this republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial amendments

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



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Effective: 18/09/24

**1 Name of regulation**

This regulation is the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Regulation 2024*.

**2 NPM entities—Act, s 8C (2)**

The NPM is comprised of—

- (a) the custodial inspector; and
- (b) the human rights commission; and
- (c) the ombudsman.

**3 Functions of the NPM—guidelines—Act, s 8E (3) (c)**

The guidelines must provide for how the entities that comprise the NPM work together to efficiently and effectively exercise functions as the NPM.

**4 Arrangements for staff—Act, s 8G**

- (1) This section applies if the Commonwealth Ombudsman is the ombudsman.
- (2) A person who is a member of the ombudsman staff under the *Ombudsman Act 1989*, section 30 (2) (b) is prescribed.

*Note* The person must be appointed or employed under the *Public Service Act 1999* (Cwlth).

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

This regulation was made as part of the *Monitoring of Places of Detention Legislation Amendment Act 2024* (see A2024-41, sch 2) and is taken to have been made under the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Act 2018* A2018-3 (see A2024-41, s 4 (1)).

#### **Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Regulation 2024 SL2024-34**

taken to have been notified LR 17 September 2024 (A2024-41 s 4 (2) (a))

s 1 commenced 17 September 2024 (LA s 75 (1))

remainder commenced 18 September 2024 (A2024-41 s 4 (2) (b))

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