



# NORTHERN TERRITORY OF AUSTRALIA

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No. 88 of 1998

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## AN ACT

to amend the *Prisons (Correctional Services) Act*

[Assented to 9 December 1998]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### 1. SHORT TITLE

This Act may be cited as the *Prisons (Correctional Services) Amendment Act (No. 2) 1998*.

### 2. COMMENCEMENT

This Act comes into operation on the commencement of the *Police Administration Amendment Act (No. 2) 1998*.

### 3. NEW SECTION

The *Prisons (Correctional Services) Act* is amended by inserting after section 95A the following:

#### "95B. BUCCAL SWABS

"(1) A prisoner under sentence of imprisonment for a crime must provide a sample by buccal swab to a person authorised under subsection (3) when directed to do so by the officer in charge of the prison.

*Prisons (Correctional Services) Amendment (No. 2)*

"(2) A prisoner is not to be taken to have provided a sample unless the sample is sufficient to enable an analysis of it to be carried out.

"(3) The Director may authorise a person for the purposes of subsection (1).

"(4) A person authorised under subsection (3) may use reasonable force to obtain a sample by buccal swab from a prisoner if the prisoner refuses to provide the sample when directed to do so by the officer in charge of the prison.

"(5) As soon as practicable after the sample is obtained, the officer in charge of the prison must deliver the sample to the Commissioner of Police.

"(6) No action or proceeding, civil or criminal, can be commenced against a person in relation to the exercise of the power conferred on the person by subsection (4)."

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