

NORTHERN TERRITORY OF AUSTRALIA

CORRECTIONAL SERVICES (RELATED AND CONSEQUENTIAL  
AMENDMENTS) ACT 2014

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Act No. 27 of 2014

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. 27 of 2014

An Act to amend various laws related to the *Correctional Services Act*

[Assented to 4 September 2014]

[Second reading 19 June 2014]

The Legislative Assembly of the Northern Territory enacts as follows:

## Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Correctional Services (Related and Consequential Amendments) Act 2014*.

### 2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

## Part 2 Amendment of Criminal Records (Spent Convictions) Act

### 3 Act amended

This Part amends the *Criminal Records (Spent Convictions) Act*.

### 4 Section 3 amended

(1) Section 3(1), definitions *supervising officer* and *surveillance officer*

*omit*

- (2) Section 3(1), definition ***criminal record***, paragraph (h)

*omit*

prison

*insert*

custodial correctional facility

## **5 Section 15 amended**

Section 15(a)

*omit*

all words after "appointment"

*insert*

or employment as a Judge, magistrate, justice of the peace or police officer;

## **6 Section 15A amended**

- (1) After section 15A(1)

*insert*

- (1A) In addition, sections 11 and 13 do not apply in respect of a spent record in relation to an application to become one of the following:

(a) a correctional services officer;

(b) a public sector employee in the Agency administering the *Correctional Services Act*;

(c) an official visitor;

(d) a volunteer.

- (2) Section 15A(2)

*omit*

subsection (1)

*insert*

this section

(3) Section 15A(2)

*insert (in alphabetical order)*

**correctional services officer**, see section 16 of the *Correctional Services Act*.

**official visitor**, see section 4 of the *Correctional Services Act*.

**volunteer**, see section 4 of the *Correctional Services Act*.

## **Part 3                      Amendment of Cross-border Justice Regulations**

### **7                      Regulations amended**

This Part amends the *Cross-border Justice Regulations*.

### **8                      Regulation 8 amended**

Regulation 8(2), definition **officer in charge**, paragraph (a)

*omit*

all words after "Territory"

*insert*

– the General Manager as defined in section 10 of the *Correctional Services Act*, or

### **9                      Part 3, Division 4A inserted**

After regulation 14

*insert*

## **Division 4A              Correctional Services Act**

### **14A                  Act modified**

This Division prescribes modifications to the *Correctional Services Act*.

**14B Modification of section 4 (Definitions)**

Section 4, definition ***probation and parole officer***

*omit, insert*

***probation and parole officer*** means:

- (a) a person appointed as a probation and parole officer under section 25(1); or
- (b) a community corrections officer of another participating jurisdiction.

**14C Modification of section 8 (Committal or remand into the custody of the Commissioner)**

After section 8(2)

*insert*

- (3) A person is ***committed or remanded into the custody of the Commissioner*** if a custodial order of a participating jurisdiction is in force in relation to the person.

**10 Part 3, Division 12 repealed**

Part 3, Division 12

*repeal*

**11 Regulation 51 replaced**

Regulation 51

*repeal, insert*

**51 Modification of section 3 (Interpretation)**

- (1) Section 3(1), definitions ***custodial correctional facility, hospital*** and ***probation and parole officer***

*omit*



## (2) Section 3(1)

*insert (in alphabetical order)*

**custodial correctional facility** means:

- (a) a custodial correctional facility as defined in section 11(1)(a) of the *Correctional Services Act*; or
- (b) a prison in another participating jurisdiction under its cross-border laws.

**hospital** means:

- (a) a hospital as defined in section 5 of the *Medical Services Act*, or
- (b) an incorporated hospital as defined in section 3(1) of the *Health Care Act 2008* (SA); or
- (c) a public hospital as defined in section 2(1) of the *Hospitals and Health Services Act 1927* (WA).

**probation and parole officer** means:

- (a) a probation and parole officer as defined in section 4 of the *Correctional Services Act*; or
- (b) a community corrections officer of another participating jurisdiction.

**12 Regulation 62 replaced**

Regulation 62

*repeal, insert*

**62 Modification of section 5 (Interpretation)**

- (1) Section 5(1), definitions **custodial correctional facility** and **detention centre**

*omit*

## (2) Section 5(1)

*insert (in alphabetical order)*

**custodial correctional facility** means:

- (a) a custodial correctional facility as defined in section 11(1)(a) of the *Correctional Services Act*; or
- (b) a prison in another participating jurisdiction under its cross-border laws.

**detention centre** means:

- (a) a youth detention centre approved under section 148; or
- (b) a detention centre in another participating jurisdiction under its cross-border laws.

**13 Regulation 63 amended**(1) Regulation 63, heading, after "**Probation**"

*insert*

**and parole**

## (2) Regulation 63, after "probation"

*insert*

and parole

**Part 4 Amendment of Justices Act****14 Act amended**

This Part amends the *Justices Act*.

**15 Section 4 amended**

Section 4, definitions **gaol** and **keeper of a gaol**

*omit*

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**16 Section 60 amended**

Section 60(2)(a)

*omit, insert*

- (a) by warrant into the custody of the Commissioner of Correctional Services; or

**17 Section 112 amended**

Section 112(3)(b)

*omit, insert*

- (b) either commit the defendant by warrant into the custody of the Commissioner of Correctional Services until the trial or grant the defendant bail under the *Bail Act*; and

**18 Section 113 amended**

Section 113(1) to (3)

*omit, insert*

- (1) This section applies if the Justice conducting a preliminary examination adjourns the examination.
- (2) The Justice may remand the defendant into the custody of the Commissioner of Correctional Services:
- (a) if the remand is for a period of not more than 3 clear days – orally; or
- (b) otherwise – by warrant.
- (3) The period of remand cannot exceed 15 clear days unless both the prosecutor and the defendant consent.

**19 Section 119 replaced**

Section 119

*repeal, insert*

**119 Witness who refuses to enter into recognisance may be committed into custody**

- (1) This section applies if a witness refuses to enter into or acknowledge a recognisance required under section 117.

- (2) The Justice conducting the preliminary examination may, by warrant, commit the witness into the custody of the Commissioner of Correctional Services until one of the following occurs:
- (a) the witness enters into and acknowledges the recognisance before any Justice;
  - (b) the trial of the defendant ends.
- (3) However, any Justice may order the release of the witness from custody if the defendant is brought before a Justice and that Justice does neither of the following in relation to the offence with which the defendant is charged:
- (a) commit the defendant into custody;
  - (b) grant the defendant bail under the *Bail Act*.
- (4) The Commissioner of Correctional Services must comply with an order for release made under subsection (3).

**20 Section 136 amended**

Section 136(1)(b)

*omit, insert*

- (b) either commit the defendant by warrant into the custody of the Commissioner of Correctional Services, or grant the defendant bail under the *Bail Act*, until the defendant is required to appear for sentencing; and

**21 Section 151 replaced**

Section 151

*repeal, insert*

**151 Effect of warrant of commitment**

A warrant of commitment commits the person named in the warrant into the custody of the Commissioner of Correctional Services.

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**22 Section 155 replaced**

Section 155

*repeal, insert*

**155 Person in custody may be present at taking of deposition**

- (1) This section applies if a person held in the custody of the Commissioner of Correctional Services gives or receives a notice of an intention to take a statement under section 153.
- (2) The Judge or Justice who committed the person into custody or another Justice may, by written notice, direct the Commissioner of Correctional Services to convey the person to a place for the purpose of being present at the taking of the statement.
- (3) The Commissioner of Correctional Services must comply with a notice given under subsection (2) and pay all expenses associated with conveying the person in accordance with the notice.

**23 Act further amended**

Schedule 1 has effect.

**Part 5 Amendment of Parole of Prisoners Act****24 Act amended**

This Part amends the *Parole of Prisoners Act*.

**25 Section 1 amended**

Section 1

*omit*

*of Prisoners*

**26 Sections 3P, 3Q and 4 repealed**

Sections 3P, 3Q and 4

*repeal*

**27 Act further amended**

Schedule 2 has effect.

## Part 6 Amendment of Police Administration Act

### 28 Act amended

This Part amends the *Police Administration Act*.

### 29 Section 138B inserted

After section 138A, in Part VII, Division 6

*insert*

#### 138B Assistance from correctional officers

- (1) A correctional officer may assist a member in the exercise of powers or performance of functions under this Division.
- (2) For the purpose of providing that assistance, the correctional officer may exercise the powers of a member.
- (3) In this section:

**correctional officer**, see section 4 of the *Correctional Services Act*.

### 30 Section 144 amended

Section 144(5)

*omit*

gaol, lock-up, prison

*insert*

lock-up, custodial correctional facility (as defined in section 11(1)(a) of the *Correctional Services Act*)

## Part 7 Amendment of Prisons (Arbitral Tribunal) Act

### 31 Act amended

This Part amends the *Prisons (Arbitral Tribunal) Act*.

**32 Long title amended**

Long title

*omit*

**prison**

*insert*

**correctional**

**33 Section 1 amended**

Section 1

*omit*

*Prisons (Arbitral Tribunal)*

*insert*

*Correctional Officers Arbitral Tribunal*

**34 Act further amended**

Schedule 3 has effect.

**Part 8 Amendment of Sentencing Act**

**35 Act amended**

This Part amends the *Sentencing Act*.

**36 Section 60A inserted**

After section 60

*insert*

**60A Sentence of imprisonment for escaping from lawful custody**

- (1) If an offender is sentenced to a term of imprisonment for escaping from lawful custody (the **escape sentence**):
  - (a) the escape sentence must be served at the end of all other sentences the offender is liable to serve; and

- 
- (b) if a non-parole period has been fixed in relation to one or all of the other sentences – the non-parole period is extended by the term of imprisonment under the escape sentence.
- (2) However, if the offender is serving a life sentence and a non-parole period has not been fixed, and parole is granted on a review, the escape sentence must be served before the parole takes effect.
- (3) If a court quashes the sentence of imprisonment that the offender was serving at the time of his or her escape, the court must make the orders it considers appropriate in relation to the escape sentence.

### 37 Section 63 amended

- (1) Section 63(2) and (3)

*omit, insert*

- (3) Where an offender serving a sentence of imprisonment is subject to an order made under section 23 of the *Mental Health Act* as in force before the commencement of the *Mental Health and Related Services Act*, the time that the offender is subject to the order or at the hospital counts in calculating the term to be served.

- (2) Section 63(6)

*omit*

### 38 Section 63A inserted

After section 63

*insert*

#### 63A Effect on term of imprisonment of absence from custodial correctional facility

- (1) This section applies in relation to an offender who is sentenced to a term of imprisonment and is absent from a custodial correctional facility for a period (the **absence period**).
- (2) Any part of the absence period during which the offender is in the lawful custody of the Commissioner (as defined in section 9(1) of the *Correctional Services Act*) is the offender's **lawful absence period**.
- (3) Any part of the absence period during which the offender is unlawfully absent (as defined in section 9(2) of the *Correctional Services Act*) is the offender's **unlawful absence period**.



- (4) In calculating the term to be served:
- (a) the offender's lawful absence period (if any) does count as time served; and
  - (b) the offender's unlawful absence period (if any) does not count as time served.

**39 Act further amended**

Schedule 4 has effect.

**Part 9 Amendment of Sheriff Act****40 Act amended**

This Part amends the *Sheriff Act*

**41 Section 4 amended**

Section 4

*insert (in alphabetical order)*

***custodial correctional facility***, see section 11(1)(a) of the *Correctional Services Act*.

**42 Section 9 amended**

Section 9(3)(c)

*omit, insert*

- (c) receive any person who is committed to the custody of the sheriff and ensure the person is:
- (i) accommodated at a custodial correctional facility in accordance with an arrangement under section 12A; or
  - (ii) detained at some other place; and

---

**43 Section 12A inserted**

After section 12

*insert*

**12A Use of custodial correctional facility to accommodate sheriff's detainees**

- (1) The sheriff may make such arrangements with the Commissioner of Correctional Services as are necessary and appropriate for accommodating persons who are in the custody of the sheriff at custodial correctional facilities.
- (2) A person who is accommodated at a custodial correctional facility under such an arrangement is taken to remain in the custody of the sheriff.

**44 Section 13 amended**

- (1) Section 13, heading

*omit, insert*

**13 Power to convey arrested person to custodial correctional facility**

- (2) Section 13

*omit*

prison

*insert*

the custodial correctional facility

**45 Section 19 amended**

- (1) Section 19, heading

*omit*

**prisoners**

*insert*

**detainees**

- (2) Section 19(1)(a)(i)  
*omit*  
all words from "detained" to "him"  
*insert*  
who are then in the sheriff's custody

**46 Section 22 amended**

- Section 22(2)  
*omit*  
all words after "of"  
*insert*  
a person from a custodial correctional facility.

**Part 10 Amendment of Youth Justice Act**

**47 Act amended**

This Part amends the *Youth Justice Act*.

**48 Part 1, Division 3 replaced**

Part 1, Division 3  
*repeal, insert*

**Division 3 Probation and parole officers**

**10 Probation and parole officers**

- (1) A person appointed as a probation and parole officer under the *Correctional Services Act* is a probation and parole officer for this Act.
- (2) The Commissioner is also a probation and parole officer for this Act.
- (3) The functions of a probation and parole officer include the following:
  - (a) preparing reports for the Court as required;

- (b) supervising youths who are the subject of supervision under a non-custodial order;
  - (c) monitoring the compliance of a youth who is the subject of an alternative detention order with the terms and conditions of the order;
  - (d) other duties as directed by the Commissioner.
- (4) A probation and parole officer may, at any time and without a warrant, enter premises or a place in or at which a youth is, in accordance with an alternative detention order, residing and:
- (a) search those premises or any building at that place, or the youth, for the purposes of determining whether the youth is in breach of the order; or
  - (b) place, install, inspect or retrieve a monitoring device in or at those premises or that place.
- (5) A probation and parole officer may, at any time, require a youth who is the subject of an alternative detention order to undergo such tests as the probation and parole officer considers appropriate to determine whether the youth is in breach of the order.

#### **49 Section 154 replaced**

Section 154

*repeal, insert*

#### **154 Use of custodial correctional facility to temporarily accommodate detainees**

- (1) This section applies if the superintendent of a detention centre considers it necessary to accommodate a detainee at a custodial correctional facility.

*Examples for subsection (1)*

- 1 *Damage from a natural disaster leads to overcrowding at the detention centre.*
- 2 *In order to maintain order at the detention centre.*

- (2) The superintendent of the detention centre may request the Commissioner to accommodate the detainee at a custodial correctional facility for a maximum period of 72 hours.
- (3) If necessary, the superintendent can apply to a magistrate for an order to extend the maximum period to 10 days.

- (4) If the Commissioner agrees to accommodate the detainee at a custodial correctional facility, this Act applies:
- (a) to the detainee as if he or she were a detainee at a detention centre; and
  - (b) to the General Manager of the custodial correctional facility as if he or she were the superintendent of a detention centre; and
  - (c) to the correctional officers employed at the custodial correctional facility as if they were members of the staff of a detention centre.
- (5) A detainee accommodated in a custodial correctional facility must be kept separate from all prisoners at the facility, including youth prisoners.
- (6) Unless there is no practical alternative, detainees under the age of 15 years must not be accommodated in a custodial correctional facility.

**50 Section 157 amended**

- (1) Section 157(1)  
*omit*
- (1)
- (2) Section 157(1)(b)  
*omit*  
Director  
*insert*  
Commissioner
- (3) Section 157(2)  
*omit*

---

**51 Sections 157A and 157B inserted**

After section 157

*insert*

**157A Assistance to deal with or prevent emergency**

- (1) This section applies if the superintendent of a detention centre is satisfied that an emergency situation exists or there is a risk of an emergency situation arising.
- (2) The superintendant may request assistance from:
  - (a) the Commissioner or the General Manager of a custodial correctional facility; or
  - (b) the Commissioner of Police.
- (3) The recipient of the request may arrange for correctional officers or police officers to assist the superintendent in dealing with the emergency situation or preventing the emergency situation from arising.
- (4) A correctional officer or police officer mentioned in subsection (3) is taken to have been delegated the superintendent's powers and functions under section 151(3)(c).

**157B Other assistance from correctional officers**

- (1) The superintendant of a detention centre may request operational assistance from the Commissioner.
- (2) On receipt of the request, the Commissioner may arrange for correctional officers to assist the superintendent.
- (3) A correctional officer mentioned in subsection (2) is, for the purpose of providing the assistance, taken to be a member of the staff of the detention centre.

**52 Section 167 amended**

- (1) Section 167, heading

*omit*

**escaped**

*insert*

**unlawfully absent**

- (2) Section 167(1), after "escaped"  
*insert*  
, or is otherwise unlawfully absent,

### **53 Section 167A inserted**

After section 167

*insert*

#### **167A Return to custody**

The superintendent of a detention centre or a member of the staff of the centre who arrests a detainee under section 167(1) must, as soon as practicable, take the detainee (or arrange for the detainee to be taken) to:

- (a) the detention centre; or
- (b) another appropriate place.

*Examples for section 167A(b)*

- 1 *A police station (if it is not practicable to immediately return the detainee to the detention centre).*
- 2 *A health care facility (if the detainee is sick or injured).*

### **54 Section 215 amended**

- (1) Section 215(1)(a)  
*omit*  
Director  
*insert*  
Commissioner
- (2) Section 215(1)(c) and (d)  
*omit, insert*  
(c) a probation and parole officer; or
- (3) Section 215(4)  
*omit*

---

**55 Sections 215A and 215B inserted**

After section 215

*insert*

**215A Prosecutions**

- (1) Proceedings for an offence against this Act may be started only by:
  - (a) the Commissioner; or
  - (b) a person authorised by the Minister.
- (2) The proceedings must be started within 6 months after the date on which the Commissioner first became aware of the commission of the offence.

**215B Civil proceedings**

- (1) Civil proceedings in relation to an act done or omitted to be done by a person under this Act must be started within 6 months after the act was done or omitted to be done.
- (2) However, subsection (1) does not prevent a court exercising its jurisdiction under section 44 of the *Limitation Act*.

**56 Act further amended**

Schedule 5 has effect.

**Part 11 Amendment of other laws****57 Other laws amended**

Schedule 6 amends the laws mentioned in it.

**Part 12 Expiry of Act****58 Expiry of Act**

This Act expires on the day after it commences.



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**Schedule 1 Justices Act further amended**

section 23

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 26, heading	<b>to gaol</b>	<b>into custody</b>
sections 26 and 26A(2)	him to the nearest gaol	the person into the custody of the Commissioner of Correctional Services
section 33(1)	in gaol before the keeper of the gaol	in a custodial correctional facility before the General Manager (as defined in section 10 of the <i>Correctional Services Act</i> ,
	keeper of a gaol	General Manager
section 33B	to a gaol	into the custody of the Commissioner of Correctional Services
section 63A(4)	keeper of the gaol where the defendant is being held	Commissioner of Correctional Services
	keeper	Commissioner
sections 65(4) and 115	any keeper of the gaol or	the Commissioner of Correctional Services or any
section 170(1A)	to gaol	into the custody of the Commissioner of Correctional Services

## Schedule 2 Parole of Prisoners Act further amended

section 27

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 3(1), definitions <b>approved voice recognition system</b> , <b>parole officer</b> and <b>prison</b>	whole definition	
section 3(1)		<i>(in alphabetical order)</i> <b>prisoner</b> , see section 6 of the <i>Correctional Services Act</i> .  <b>probation and parole officer</b> , see section 4 of the <i>Correctional Services Act</i> .
section 3(1), definition <b>approved monitoring device</b>	5 of the <i>Prisons (Correctional Services)</i>	164 of the <i>Correctional Services</i>
section 3(1), definition <b>the parole period</b>	has been released from prison on parole in pursuance of	is released from the custody of the Commissioner of Correctional Services on parole under
section 3(1), definition <b>the parole period</b> , paragraph (a)	prison	custody
sections 3B(1)(b) and 3EB(1)(b) and (2)(b)	Director	Commissioner
section 3FA, heading	<b>Director</b>	<b>Commissioner</b>
section 3FA(1)	Director <i>(all references)</i>	Commissioner
	Director's	Commissioner's

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section 3J, heading, before " <b>parole</b> "		<b>probation and</b>
section 3J(1) and (2), before "parole" ( <i>all references</i> )		probation and
Part 2, Division 2, heading	<b>Parole</b>	<b>Probation and parole</b>
section 3R, heading, before " <b>parole</b> "		<b>probation and</b>
section 3R and 3R(aa), before "parole officer"		probation and
section 3R(ea)	whole paragraph	
section 5(2)	prison	the custody of the Commissioner of Correctional Services
section 5(3)	prison	a custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services Act</i> )
section 5(5C)(b)(i)	voice recognition system	monitoring device
section 5(5C)(b)(ii)	a parole system	a probation and parole device
sections 5(8B) and 7	to prison	into the custody of the Commissioner of Correctional Services
section 8(1)(a)	to a prison, lock-up or other place of custody there to be kept	into the custody of the Commissioner of Correctional Services
section 15(b)	the <i>Prisons (Correctional Services) Act</i> or another	a

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**Schedule 3 Prisons (Arbitral Tribunal) Act further amended**

section 34

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 5	<i>Prisons (Correctional Services)</i>	<i>Correctional Services</i>
Part IIA, heading	<b>The Prison</b>	<b>Correctional</b>
section 11A, heading	<b>Prison</b>	<b>Correctional</b>
section 11A(1)	Prison of officers	Correctional of correctional officers
section 11A(1)(d)	Director ( <i>all references</i> ) prison officer authorized	Commissioner  correctional officer authorised
section 11A(1)(k)	prison	custodial correctional facility
section 11A(3B)(a)	prison	correctional
section 11A(3B)(b)	officers other than senior prison	correctional officers other than senior correctional
section 11D(1)(a) and (5)(a)	prison	correctional
section 11D(1)(b) and (5)(b)	officers other than senior prison	correctional officers other than senior correctional
section 11G	prison ( <i>all references</i> )	correctional
section 11S, definition <b>senior prison officer</b>	whole definition	

section 11S

*(in alphabetical order)*  
**senior correctional officer** means a correctional officer who is a superintendent, deputy superintendent or chief correctional officer.

section 11S, definition  
**the Tribunal** Prison

Correctional

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**Schedule 4 Sentencing Act further amended**

section 39

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 3(1), definitions <b>approved voice recognition system, Director, prison, probation officer, supervising officer</b> and <b>surveillance officer</b>	whole definition	
section 3(1)		<p><i>(in alphabetical order)</i>  <b>Commissioner</b> means the Commissioner of Correctional Services.</p> <p><b>custodial correctional facility</b>, see section 11(1)(a) of the <i>Correctional Services Act</i>.</p> <p><b>probation and parole officer</b>, see section 4 of the <i>Correctional Services Act</i>.</p>
section 3(1), definition <b>approved monitoring device</b>	5 of the <i>Prisons (Correctional Services)</i>	164 of the <i>Correctional Services</i>
section 3(1), definition <b>approved project</b>	all words after "by"	the Commissioner under the <i>Correctional Services Act</i> .
sections 3(1), definition <b>pre-sentence report</b> , 34(2)(b), (4)(b) and (5) and 35(1)(a) and (b) and (2)	Director <i>(all references)</i>	Commissioner
section 37(1)(a) and (d), after "probation"		and parole

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section 37(1)(c)	officer or supervising	and parole
section 38(1) to (3)	Director	Commissioner
section 39(1)(d)	officer or supervising	and parole
section 39(5), after "probation"		and parole
section 39C, heading	<b>Director</b>	<b>Commissioner</b>
section 39C	Director	Commissioner
section 39E(1)(b) to (d), (e)(ii) and (f)(ii), after "probation" ( <i>all references</i> )		and parole
section 39E(1)(e)(i)	voice recognition system	monitoring device
section 39E(1)(e)(ii)	system	device
sections 39E(1)(f)(ii), (2) and (3) and (3)(b), 39F(1)(a) and (b)(ii) and 39G(1)	Director	Commissioner
section 39J, heading	<b>Director</b>	<b>Commissioner</b>
sections 39J(1) and 39K(1)	Director ( <i>all references</i> )	Commissioner
section 39L, heading	<b>Director</b>	<b>Commissioner</b>
sections 39L(1), (2)(b), (3), (4) and (5)(c) and 39N(8)(c)	Director	Commissioner
section 39P(a)	or approved voice recognition system	
section 39P(b)	surveillance	probation and parole
section 39R(1)	Director ( <i>all references</i> )	Commissioner
section 44(3)(a)	Director or a surveillance	Commissioner or a probation and parole

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sections 44(3)(b) and (c) and (6)(b), 45(1)(a), (1A) and (2) and 47(1) to (3) and (4)(b)	Director <i>(all references)</i>	Commissioner
section 48(1)(d) and (f) and (8)(b)	surveillance	probation and parole
section 48C, heading	<b>Director</b>	<b>Commissioner</b>
section 48C	Director	Commissioner
section 48E(1)(c) to (f) and (g)(ii) and (2), after "probation"		and parole
section 48E(1)(g)(i)	voice recognition system	monitoring device
section 48E(1)(g)(ii)	system	device
section 48E(1)(h)(ii)	Director and probation	Commissioner and probation and parole
section 48E(2)(b), (3), (4), (6) and (7)	Director <i>(all references)</i>	Commissioner
section 48G, heading	<b>Director</b>	<b>Commissioner</b>
sections 48G(1) and 48H(1)	Director <i>(all references)</i>	Commissioner
section 48J, heading	<b>Director</b>	<b>Commissioner</b>
section 48J(1), (2)(b), (3), (4) and (5)(c)	Director	Commissioner
section 48N(a)	or approved voice recognition system	
section 48N(b)	surveillance	probation and parole
section 48Q(1)	Director <i>(all references)</i>	Commissioner
section 53A(3)(a), after "correctional services officer"		(as defined in section 16 of the <i>Correctional Services Act</i> )



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section 56(1) and (3)	Director	Commissioner
section 64(1)(a) and (b)(i) to (iii) and (4), definition <b>chairperson</b>	<i>of Prisoners</i>	
section 64(2)(a) and (b)	prison	a custodial correctional facility
section 65(9)(c) and (11)	prison	custodial correctional facility
sections 78K(2), 78L(a) and (d) to (f) and 78M(1) to (4)	Director <i>(all references)</i>	Commissioner
section 80(3)(d), (6)(c) and (11)	prison	custodial correctional facility
section 103(1), after "probation"		and parole
sections 103(1) and 108(4)	Director	Commissioner
section 108(4)	prison	custodial correctional centre (as defined in section 11(1)(a) of the <i>Correctional Services Act</i> )
section 114(7) and (10)	to prison	into the custody of the Commissioner
section 115(1)(b)	<i>of Prisoners</i>	
section 115(2)(b) and (10)	<i>Prisons (Correctional Services)</i>	<i>Correctional Services</i>
section 115(5) and (10)	to prison	into the custody of the Commissioner
section 116(b)	prison	the custody of the Commissioner

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## Schedule 5 Youth Justice Act further amended

section 56

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 5(1), definitions <b>Director, prison, probation officer</b> and <b>surveillance officer</b>	whole definition	
section 5(1)		<p><i>(in alphabetical order)</i> <b>Commissioner</b> means the Commissioner of Correctional Services.</p> <p><b>correctional officer</b>, see section 4 of the <i>Correctional Services Act</i>.</p> <p><b>custodial correctional facility</b>, see section 11(1)(a) of the <i>Correctional Services Act</i>.</p> <p><b>probation and parole officer</b> means a person who is a probation and parole officer under section 10.</p>
sections 14(3) and 35(4), after "probation"		and parole
section 65(2)	prison	custodial correctional facility
sections 86(3) and 91(2)(d) and (4)(c)	Director <i>(all references)</i>	Commissioner
section 94(1)(c) and (2), after "probation"		and parole

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section 94(4)(c), (5) and (6)	Director	Commissioner
sections 95(1)(a) to (d) and 96(1)(d), after "probation"		and parole
section 97, heading	<b>Committee</b>	<b>Commissioner</b>
section 97(1)	all words from "A" to "Act"	The Commissioner
sections 98A(2)(c), 101(2) to (4) and 102(1)(b) and (c)	Director ( <i>all references</i> )	Commissioner
section 102(1)(a)	Director or a surveillance	Commissioner or a probation and parole
section 103(2)(c)	Director	Commissioner
sections 105(1) and (2), 106(1), 107(1) and 108(1)(a)	surveillance	probation and parole
section 108(4)	Director	Commissioner
section 110(d) and (f)	surveillance	probation and parole
section 112(2)	Director	Commissioner
sections 113(c) and (d) and 114(1)(a), (c) and (d)	prison	custodial correctional facility
section 114(1)(e)	Director prison	Commissioner custodial correctional facility
section 115(2)(c)	Director	Commissioner
section 119, heading	<b>Director</b>	<b>Commissioner</b>
section 119(1), (1)(c), (3) and (5)	Director	Commissioner
section 120(1)	a prison  or prison	a custodial correctional facility  or facility

sections 121(2) and 123(2)(c)	Director	Commissioner
section 131(1)(a) and (b)(ii) and (iii) and (4), definition <b>chairperson</b>	<i>of Prisoners</i>	
section 131(1)(b)(i)	<i>or Prisoners</i>	
section 132, heading	<b>of Prisoners</b>	
section 132	<i>of Prisoners</i>	
section 137(2)(b)(iv)	prison	custodial correctional facility
sections 142(1), (7) and (8), 143(3)(b), 151(1), 153(5), 158(3), 159(3) and 160(4)	Director	Commissioner
section 164(1) and (2)	prison	custodial correctional facility
sections 164(4), (5) and (5)(b), 165(b)(iv), 170(3), 175(2)(b) and 176(2) and (4)	Director <i>(all references)</i>	Commissioner
section 177, heading	<b>Director</b>	<b>Commissioner</b>
sections 177(1)(c) and (2), 178(a) and 180(1) to (3)	Director <i>(all references)</i>	Commissioner
section 181, definition <b>detainee</b>	the subject of a direction given under section 21 of the <i>Prisons (Correctional Services)</i>	who has been transferred to a detention centre under section 64 of the <i>Correctional Services</i>
section 200(1)(c) and (d)	whole paragraph	(c) a probation and parole officer.
section 201(1)	, probation officer or surveillance	or probation and parole

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sections 201(2), definition <b>authorised person</b> and 206(2)(a)	Director	Commissioner
section 216, heading	<b>Director</b>	<b>Commissioner</b>
section 216	Director	Commissioner
section 217(2)(h)(i) and (iii)	probation officers and	
section 217(2)(i)	whole paragraph	(i) alternative detention orders, including regulating the conduct of youths who are subject to the orders;
section 217(2)(l)	Regulations.	Regulations;
after section 217(2)(l)		(m) probation and parole officers, including:  (i) prescribing the duties of the officers; and  (ii) providing for the health and safety of the officers.
section 217(3)	Director	Commissioner

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**Schedule 6 Other laws amended**

section 57

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<b><i>Absconding Debtors Act</i></b>		
section 11(3)	all words from "any" to "police prison"	a General Manager (as defined in section 10 of the <i>Correctional Services Act</i> ,
section 16(f)	to prison	into the custody of the Commissioner of Correctional Services
<b><i>Associations Act</i></b>		
section 30(2) and (3)	prison	custody
<b><i>Bail Act</i></b>		
section 3(1), definitions <b><i>approved voice recognition system</i></b> and <b><i>surveillance officer</i></b>	whole definition	
section 3(1)		<i>(in alphabetical order)</i> <b><i>probation and parole officer</i></b> , see section 4 of the <i>Correctional Services Act</i> .
section 3(1), definitions <b><i>appeal</i></b> , paragraph (c), and <b><i>offence</i></b> , paragraph (a) and (2)(e)	<i>of Prisoners</i>	
section 3(1), definition <b><i>approved monitoring device</i></b>	5 of the <i>Prisons (Correctional Services)</i>	164 of the <i>Correctional Services</i>

section 15(c)	to prison	into the custody of the Commissioner of Correctional Services
section 26(e)	whole paragraph	(e) the Commissioner of Correctional Services.
section 27A(1)(ib)(i)	approved voice recognition system	approved monitoring device
section 27A(1)(ib)(ii)	surveillance system	probation and parole device
section 27B(2)	Part 27, Division 1 of the <i>Prisons (Correctional Services)</i>	Part 4.1 of the <i>Correctional Services</i>
section 27B, note	<i>Part 27, Division 1 of the Prisons (Correctional Services)</i> <i>surveillance</i>	<i>Part 4.1 of the Correctional Services</i> <i>probation and parole</i>
section 28(3)	Director	Commissioner
sections 31(4), 36(4) and (5) and 38(3)(b)	to prison	into the custody of the Commissioner of Correctional Services
section 53(2)(c)	prison or any other	any
<b><i>Births, Deaths and Marriages Registration Act</i></b>		
section 12(5)	all words from "a prison" to "Act," prison or police prison <i>(all references)</i>	a custodial correctional facility custodial correctional facility
section 12(6)		<i>(in alphabetical order)</i> <b><i>custodial correctional facility</i></b> , see section 11(1)(a) of the <i>Correctional Services Act</i> .
section 12(6), definition <b><i>responsible person</i></b> , paragraph (b)	prison or <i>(all references)</i>	

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section 12(6), definition <b>responsible person</b> , after paragraph (b)		(ba) for a child born in a custodial correctional facility – the Commissioner of Correctional Services; or
section 27A(2)	all words from "Director" to "Act")	Commissioner of Correctional Services

### **Care and Protection of Children Act**

section 57(6), definition <b>safe place</b> , paragraph (b)	prison	custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services Act</i> )
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### **Child Protection (Offender Reporting and Registration) Act**

section 3, definition <b>parole</b>	<i>of Prisoners</i>	
section 3, definition <b>prisoner</b>	5 of the Prisons ( <i>Correctional Services</i> )	6 of the <i>Correctional Services</i>
section 3, definition <b>strict supervision</b> , paragraph (a)	Director	Commissioner

### **Child Protection (Offender Reporting and Registration) Regulations**

regulation 4(2)	all words from "Director" to "Act")	Commissioner of Correctional Services
regulation 9(a)	all words from "an" to "Act"	a correctional officer (as defined in section 4 of the <i>Correctional Services Act</i> )

### **Constitutional Convention (Election) Act**

section 44(2)(a)(vi)	of being a prisoner	the person is in the custody of the Commissioner of Correctional Services
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**Co-operatives Act**

section 209(1)(b) and (3)	prison ( <i>all references</i> )	custody
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**Co-operatives Regulations**

regulation 10(a)	whole paragraph	(a) the Commissioner of Correctional Services;
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**Coroners Act**

section 12(1), definition <b>person held in custody</b> , paragraph (a)(iii)	whole subparagraph	(iii) the Commissioner of Correctional Services; or
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section 12(1), definition <b>person held in custody</b> , paragraph (b)(i)	whole subparagraph	(i) a custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services Act</i> ); or
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**Criminal Code**

section 1		( <i>in alphabetical order</i> ) <b>custodial correctional facility</b> , see section 11(1)(a) of the <i>Correctional Services Act</i> .
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**prisoner**, see section 6 of the *Correctional Services Act*.

section 28(c)	a prison officer	a correctional officer (as defined in section 4 of the <i>Correctional Services Act</i> )
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	the prison officer	the officer
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section 43A, definition <b>prison</b>	whole definition	
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section 43A, definition <b>appropriate person</b> , paragraph (d)	prison  parole officer within the meaning of the <i>Parole of Prisoners Act</i>	custodial correctional facility  probation and parole officer under the <i>Parole Act</i>
sections 43I(3)(b) and (3A), 43O(b), 43R(5)(b) and (6), 43Y(1)(b) and (2), 43ZA(1)(a)(i) and (2), 43ZD(3B) and (3C), 43ZE(3B) and (3C), 43ZF(2)(b) and 43ZG(5B)(a) and (5C)	prison	custodial correctional facility
section 110	to prison	into the custody of the Commissioner of Correctional Services
section 111(b)	all words from "a prison" to "Act"	a custodial correctional facility
section 113	an officer of a prison	a correctional services officer (as defined in section 16 of the <i>Correctional Services Act</i> )
section 115(a)	prison	custodial correctional facility
section 128(3)(d)	a correctional services	an
sections 174G(b) and 208E(a)	prison	correctional services
sections 301(2) and 408(2)	to prison	into the custody of the Commissioner of Correctional Services
section 425(1) and (4)	laws relating to prisons	<i>Correctional Services Act</i>
section 425(3) and (4)	prison	a custodial correctional facility

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section 426(3)	superintendents of prisons	the Commissioner of Correctional Services
	superintendent of every prison	Commissioner of Correctional Services

### ***Cross-border Justice Act***

section 7(1), definition <b><i>bring up order</i></b> , paragraph (a)(i)	whole subparagraph	
section 7(1), definition <b><i>community corrections officer</i></b> , paragraph (a)(i) and (ii)	whole subparagraph	(i) a probation and parole officer as defined in section 4 of the <i>Correctional Services Act</i> , or
section 7(1), definition <b><i>juvenile justice officer</i></b> , paragraph (a)	officer or surveillance	and parole
section 7(1), definition <b><i>prison</i></b> , paragraph (a)	all words from "prison" to " <i>Services</i> "	custodial correctional facility as defined in section 11(1)(a) of the <i>Correctional Services</i>
section 105, heading	<b><i>Prisons (Correctional Services)</i></b>	<b><i>Correctional Services</i></b>
section 105	<i>Prisons (Correctional Services)</i>	<i>Correctional Services</i>
section 113, heading	<b><i>Prisons (Correctional Services)</i></b>	<b><i>Correctional Services</i></b>
section 113	<i>Prisons (Correctional Services)</i>	<i>Correctional Services</i>

### ***Electoral Act***

section 60(2)(f)	of being a prisoner	the person is in the custody of the Commissioner of Correctional Services
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**Fines and Penalties (Recovery) Act**

section 5		<i>(in alphabetical order)</i> <b>custodial correctional facility</b> , see section 11(1)(a) of the <i>Correctional Services Act</i> .
section 76(2)	all words after "by"	the Commissioner of Correctional Services.
sections 78(3)(b), 79(1), (2) and (3), 82(3) and 84(1) and (2)	Director <i>(all references)</i>	Commissioner
section 86(1)	to prison	into the custody of the Commissioner of Correctional Services
section 92(1)	to prison	into the custody of the Commissioner of Correctional Services
	officer in charge of the prison or a person authorised by that officer	Commissioner of Correctional Services or a person authorised by the Commissioner
section 94	to a prison	into the custody of the Commissioner of Correctional Services
	the prison	the custody of the Commissioner
section 98(1)(d)	Director	Commissioner
section 98(1)(e)	to a prison	into the custody of the Commissioner of Correctional Services
section 118, heading	<b>prison</b>	<b>custody</b>
section 118	prisoner <i>(all references)</i>	person
	prison	custody
section 121(5)	Director	Commissioner

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***Fines and Penalties (Recovery) Regulations***

Schedule 5, Form 7	Director	Commissioner
Schedule 5, Form 7, Affidavit of Service	to prison	into the custody of the Commissioner of Correctional Services
Schedule 5, Form 9	<b>MEMBERS OF THE NORTHERN TERRITORY POLICE FORCE; and THE OFFICER IN CHARGE OF EACH PRISON</b>  <b>YOU the said members</b>  prison  Officer in Charge there  <b>YOU the said Officer in Charge</b> are to  your	<b>NORTHERN TERRITORY POLICE OFFICERS and THE COMMISSIONER OF CORRECTIONAL SERVICES</b>  <b>Northern Territory Police Officers</b>  custodial correctional facility  General Manager of the facility  <b>The Commissioner of Correctional Services must</b>  the Commissioner's

***Firearms Act***

section 4(4)(f)	whole paragraph	(f) a correctional officer (as defined in section 4 of the <i>Correctional Services Act</i> );
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***Information Act***

section 54(d)	prison, police prison	custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services Act</i> )
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**Interpretation Act**

section 17 *(in alphabetical order)*  
**Commissioner of Correctional Services**  
means the person holding or occupying the office of Commissioner of Correctional Services mentioned in section 17 of the *Correctional Services Act*.

section 17, definition **committed for trial**, paragraph (a) to prison into the custody of the Commissioner of Correctional Services

**Juries Act**

section 10(1)(a) prison the custody of the Commissioner of Correctional Services

section 37(2A) or the prisoner or his , the defendant or the defendant's

Schedule 7 *of Prisoners (first and second references)*  
a parole officer within the meaning of the *Parole of Prisoners Act*  
an officer within the meaning of the *Prisons (Correctional Services) Act* a correctional services officer (as defined in section 4 of the *Correctional Services Act*)  
prisons and

**Kava Management Act**

section 77(1)(a) prison the custody of the Commissioner of Correctional Services

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**Legal Profession Act**

section 571(a)(iv)      prison      the custody of the  
Commissioner of  
Correctional Services

**Liquor Regulations**

regulation 5B(c)      *of Prisoners*

**Local Government (Electoral) Regulations**

regulation 25(2)(a)(v)      a prisoner      in the custody of the  
Commissioner of  
Correctional Services

**Medicines, Poisons and Therapeutic Goods Act**

section 252, example      all words after "a"      *custodial correctional facility  
as defined in  
section 11(1)(a) of the  
Correctional Services Act.*

**Mental Health and Related Services Act**

section 4, definition      whole definition  
**prison officer**

section 4      *(in alphabetical order)  
**custodial correctional  
facility**, see  
section 11(1)(a) of the  
Correctional Services  
Act.*

section 4, definition      all words after "a"      custodial correctional  
**community**      facility.

section 4, definition      5 of the *Prisons*      6 of the *Correctional*  
**prisoner**      (*Correctional Services*)      *Services*

section 19(1)(e)      Director      Commissioner

section 45(2)(b)      Director      Commissioner  
prison      custodial correctional  
facility

section 75(7)(d)      prison      custodial correctional  
facility

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section 79(2)	visiting medical officer, the Director	medical practitioner, the Commissioner
section 79(4)(a)	prison	custodial correctional facility
section 79(4)(b)	Director	Commissioner
section 79(5)	whole subsection	
section 80(2)(a) and (b)	prison	custodial correctional facility
section 80(4)	Director	Commissioner
section 80A(3)	prison	custodial correctional facility
sections 80A(6) and 81(4)	Director	Commissioner
section 82, heading	<b>Director</b>	<b>Commissioner</b>
section 82(1) and (2)	Director	Commissioner
section 82(1)(a)	prison	custodial correctional facility
section 83A(2)	prison officer	correctional officer (as defined in section 4 of the <i>Correctional Services Act</i> )
section 85(2)	prison	the custody of the Commissioner of Correctional Services
section 86	Director	Commissioner
<b><i>Misuse of Drugs Act</i></b>		
section 11T(7)	to gaol	into the custody of the Commissioner of Correctional Services



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section 37(1), definition <b>aggravating                  circumstance,</b> paragraph (b)	all words after "involving"	a custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services                  Act</i> ) or a prisoner (as defined in section 6 of the <i>Correctional                  Services Act</i> ); or
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**Motor Vehicles Act**

sections 25L(4) and 25Q(3)	Director	Commissioner
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**Ombudsman Act**

section 4, definition <b>prisoner</b>	whole definition	<b>prisoner</b> , see section 6 of the <i>Correctional                  Services Act</i> .
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section 16(1)(h)	<i>of Prisoners</i>	
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**Parole Orders (Transfer) Act**

section 3, definitions <b>Parole Board</b> and <b>parole order</b>	<i>of Prisoners</i>	
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section 3, definition <b>sentence of                  imprisonment</b>	prison	custodial correctional facility under the <i>Correctional Services                  Act</i> , a detention centre under the <i>Youth Justice                  Act</i> or any other detention facility however described
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**Prisoners (Interstate Transfer) Act**

section 3(1), definitions <b>gaoler, prison, prison                  officer</b> and <b>remission                  provisions</b>	whole definition	
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section 3(1)		<p><i>(in alphabetical order)</i></p> <p><b>prison</b> means:</p> <p>(a) in the Territory – a custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services Act</i>); or</p> <p>(b) in a participating State or another Territory – a prison or other correctional facility (however described).</p> <p><b>prison officer</b> means:</p> <p>(a) in the Territory – a correctional services officer (as defined in section 16 of the <i>Correctional Services Act</i>); or</p> <p>(b) in a participating State or another Territory – a prison officer (however described).</p>
sections 12(1) and 14(2)	gaoler	person in charge
section 15(a)	gaoler to whom it is directed shall	Commissioner of Correctional Services must
	or member of the Police Force	
section 15(b)	shall <i>(all references)</i>	must
	gaoler	Commissioner of Correctional Services

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section 21(3)(a)	whole paragraph	
section 22(1)(a)	all words from "shall direct" to "into"	must direct the Commissioner of Correctional Services to deliver the prisoner who is the subject of the order into
	shall be gaoler	is Commissioner
section 22(1)(b)	authorizes gaoler	authorises person in charge
section 22(3)	gaoler	Commissioner of Correctional Services
section 24(1)(c)	remissions and	
section 26(6) and (7)	whole subsection	(6) A person who is subject to a translated sentence and who, prior to being transferred to the Territory, served a period of the translated sentence in a participating State (including a period deemed to have been served in a participating State under the provision of an interstate law that corresponds to this subsection and a period spent in custody while being transferred to a prison in the Territory) is deemed to have served that period of the translated

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		sentence in the Territory.
section 27(1)	all words from "gaoler of" to "imprisoned"	Commissioner of Correctional Services
section 27(1)(b)	gaoler	Commissioner
section 29(1)(a)	gaoler	person in charge of the prison
section 29(1)(b)	any gaoler is authorized	the Commissioner is authorised
section 29(1)(b)(ii)	gaoler	Commissioner
section 29(2)	a gaoler the gaoler is authorized	the Commissioner the Commissioner is authorised
section 31(3)	whole subsection	
section 31(4)	to (3)	and (2)
<b><i>Prisoners (Interstate Transfer) Regulations</i></b>		
regulation 3(1), definitions <b>Commissioner, Director and parole officer</b>	whole definition	
regulation 3(1)		<i>(in alphabetical order)</i> <b>probation and parole officer</b> , see section 4 of the <i>Correctional Services Act</i> .
regulation 3(1), definitions <b>non-parole period</b> and <b>Parole Board</b>	<i>of Prisoners</i>	
regulation 4(2)	all words after "through"	the Commissioner of Correctional Services.

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regulation 4(3)	all words from "A" to "shall"	After receiving a prisoner's request, the Commissioner of Correctional Services must
regulation 4(3)(a)	current by remission	
regulation 4(3)(c)	parole Director	probation and parole Commissioner
regulation 4(3)(d)	whole paragraph	(d) forward the request to the Minister for consideration.
regulations 6(1) and 10(a)	Director ( <i>all references</i> )	Commissioner of Correctional Services
regulation 10(b), after "Commissioner"		of Police
regulations 13(3) and 14(1)(a)	Director	Commissioner of Correctional Services
regulation 15	gaoler	person in charge
regulations 17 and 20(b), after "Commissioner"		of Police
regulation 22(1)(c)	all words after "through"	the Commissioner of Correctional Services.
regulation 24, after "Commissioner"		of Police
regulation 26	Director ( <i>first reference</i> ) Director ( <i>second reference</i> )	Commissioner of Correctional Services Commissioner
regulation 27(c)	whole paragraph	(c) forwarded to the Commissioner of Correctional Services; and

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regulation 28	a gaoler of a prison	the Commissioner of Correctional Services
	the gaoler <i>(all references)</i>	the Commissioner
regulation 30(b)(i)	Director	Commissioner of Correctional Services
regulation 30(b)(iii)	whole subparagraph	(iii) probation and parole officer.
regulation 31(1) and (2)(a)	gaoler of the prison	Commissioner of Correctional Services
regulation 31(1)(a)	gaoler	Commissioner
regulation 31(3)(a)	whole paragraph	(a) the Commissioner of Correctional Services; or
regulation 31(3)(b)	that gaol	the prison in which the person is detained
	that gaoler	the Commissioner
regulation 31(4) and (5)	gaoler of a prison	Commissioner of Correctional Services
regulation 31(4)(a)	gaoler	Commissioner
regulation 31(5)	gaoler shall	Commissioner must
regulation 32(1)	all words from "gaoler of" to "to the gaoler"	Commissioner of Correctional Services must be remitted by the Commissioner to the person in charge
regulation 32(2)	all words from "The" to "shall"	The Commissioner of Correctional Services must
	to the gaoler	to the person in charge
regulation 32(4) and (4)(a)	gaoler of the prison	Commissioner of Correctional Services
Schedule, Form 1	Prison	

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Schedule, Form 2	gaoler of the prison at gaoler of the above-named prison of the gaoler 19 .	Commissioner of Correctional Services Commissioner of Correctional Services of the person in charge
Schedule, Form 3	Prison 19 .	
Schedule, Form 4	19 .	
Schedule, Form 5	Director/ Director* in the prison gaoler 19 . <i>(all references)</i> Director 19 ,	Commissioner of Correctional Services/ Commissioner* person in charge Commissioner
Schedule, Form 6	GAOLER gaoler <i>(all references)</i> 19 . <i>(all references)</i>	PERSON IN CHARGE OF PRISON person in charge
Schedule, Forms 7, 8 and 9	gaoler of the prison at gaoler of the above-named prison gaoler 19 .	Commissioner of Correctional Services Commissioner of Correctional Services person in charge
Schedule, Form 10	gaoler of the prison at gaoler of the above-named prison 19 .	Commissioner of Correctional Services Commissioner of Correctional Services

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Schedule, Form 11	gaoler at the prison at	Commissioner of Correctional Services
	gaoler of the above- named prison	Commissioner of Correctional Services
	19 .	
Schedule, Form 12	Director <i>(all references)</i>	Commissioner
	parole	probation and parole
	19 . <i>(all references)</i>	
	Parole	Probation and parole

### ***Public Sector Employment and Management Regulations***

regulation 3, definition <b><i>prison officer</i></b>	whole definition	
regulation 3		<i>(in alphabetical order)</i> <b><i>correctional officer</i></b> , see section 4 of the <i>Correctional Services</i> <i>Act</i> .
regulation 7(a) and (b)	prison	correctional

### ***Sentencing Regulations***

regulation 4(1), after "probation"		and parole
regulation 4(1)	<i>Prisons (Correctional Services) Act</i>	<i>Correctional Services Act</i>
regulation 4(4)	Director	Commissioner
regulation 4A, heading	<b><i>Prisons (Correctional Services) (Community Orders) Regulations</i></b>	<b><i>Correctional Services Act</i></b>
regulation 4A	the <i>Prisons (Correctional Services) (Community Orders) Regulations</i>	Chapter 4 of the <i>Correctional Services Act</i> and any regulations made for that Chapter



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**Serious Crime Control Regulations**

regulation 5(1)(e) of *Prisoners*

**Serious Sex Offenders Act**

section 4, definitions whole definition  
**approved voice recognition system, Director of Correctional Services and parole officer**

section 4 (in alphabetical order)  
**probation and parole officer**, see section 4 of the *Correctional Services Act*.

section 4, definition 5 of the *Prisons (Correctional Services)* 164 of the *Correctional Services*  
**approved monitoring device**

section 4, definition **in custody**, paragraphs (a) and (b) whole paragraph (a) in the lawful custody of the Commissioner of Correctional Services (as defined in section 4 of the *Correctional Services Act*); or (b) in lawful custody within the meaning of section 84(1) of the *Mental Health and Related Services Act*.

section 4, definition of *Prisoners*  
**parole order**

section 10(1)(a), note *prison* *custody*

section 12(2) of *Prisoners*

section 14(3)(b) Director Commissioner

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section 16(1), note	<i>prison</i>	<i>custody</i>
section 18(1)(b) to (e) and (2), before "parole" ( <i>all references</i> )		probation and
section 20, heading, before " <b>parole</b> "		<b>probation and</b>
section 20(1) to (5), before "parole" ( <i>all references</i> )		probation and
section 20(1), note, before " <i>parole</i> "		<i>probation and</i>
section 20(4)(c)	voice recognition system	monitoring device
section 20(4)(d)	or voice recognition system	
section 20(4)(i)(i)	Director	Commissioner
section 21(1) and (2), before "parole"		probation and
section 21(2)(a)	Director	Commissioner
section 22(2)(c)	<i>of Prisoners</i>	
section 22(2)(c), note	<i>of Prisoners</i>	
section 27(a) and (b)	Director	Commissioner
section 29(2)	<i>of Prisoners</i>	
sections 35(a) and (b) and 42(a) and (b)	Director	Commissioner
sections 48(1) and 49(4)(b), before "parole"		probation and
sections 49(4)(b) and 56(2) and (3)	Director	Commissioner
section 63, heading	<b>Director</b>	<b>Commissioner</b>

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section 63(1), (2) and (3)	Director	Commissioner
section 63(1), before "parole"		probation and
section 64(1)	whole subsection	<p>(1) A probation and parole officer may exercise the officer's powers under section 171 of the <i>Correctional Services Act</i> as if a supervision order were a monitoring order.</p> <p>(1A) However, the officer must not:</p> <p>(a) exercise a power under section 170(2)(d) or (e) of the <i>Correctional Services Act</i> unless the supervisee is subject to a monitoring obligation; or</p> <p>(b) direct a supervisee under section 171 of the <i>Correctional Services Act</i> to submit to a prescribed alcohol/drug test unless the supervisee is subject to an alcohol or drug</p>

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		obligation.
section 64(2), definition <b><i>monitoring obligation</i></b>	or approved voice recognition system	
section 69(a) and (b)	Director	Commissioner
section 79(6)	<i>Prisons (Correctional Services)</i>	<i>Correctional Services</i>
section 80(1)	Director <i>(all references)</i>	Commissioner
	prison	custodial correctional facility
	Director's	Commissioner's
section 80(2), (3)(a) and (b) and (4)	Director <i>(all references)</i>	Commissioner
section 88, heading	<b>Director</b>	<b>Commissioner</b>
section 88(1), (2) and (3)(a)(i)	Director	Commissioner
section 88(3)(a) and (b)	Director's	Commissioner's
section 96(3), definition <b><i>relevant material</i></b>	Director	Commissioner
section 98(2)(a)	or approved voice recognition system	
section 98(2)(b), before "parole"		probation and
section 108(1)(b), (3) and (4)	Director	Commissioner
section 108, note	<i>Director (all references)</i>	<i>Commissioner</i>
section 109, heading	<b>Director</b>	<b>Commissioner</b>
section 109(1)	Director <i>(all references)</i>	Commissioner

**Sheriff Regulations**

regulation 9, heading	gaol	<b>custodial correctional facility</b>
regulation 9	gaol	custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services Act</i> )
Schedule, item 12	prisoner	detainee

**Surveillance Devices Regulations**

regulation 3(1)(c)	whole paragraph	(c) in accordance with the directions of the Commissioner of Correctional Services or person in charge of a custodial correctional facility, to monitor the activities and location of a prisoner in the facility;
regulation 3(1)(d)	Director	Commissioner
regulation 3(2)		(in alphabetical order) <b>custodial correctional facility</b> , see section 11(1)(a) of the <i>Correctional Services Act</i> .
regulation 3(2), definition <b>monitoring requirement</b> , paragraph (a)	or community based order	, community based order, release on bond without conviction, release on bond following conviction or suspended sentence of imprisonment

regulation 3(2), definition <b>monitoring requirement</b> , paragraph (d)	<i>of Prisoners</i>	
regulation 3(2), definition <b>monitoring requirement</b> , paragraph (e)	Act.	Act;
regulation 3(2), definition <b>monitoring requirement</b> , after paragraph (e)		(f) a leave permit under Part 3.3 of the <i>Correctional Services Act</i> .
<b><i>Terrorism (Emergency Powers) Act</i></b>		
section 4(1)		<i>(in alphabetical order)</i> <b>custodial correctional facility</b> , see section 11(1)(a) of the <i>Correctional Services Act</i> .
section 21J, heading	<b>Director prison</b>	<b>Commissioner Commissioner's custody</b>
section 21J	a prison  Director of Correctional Services	the custody of the Commissioner of Correctional Services  Commissioner
sections 21S(3) and (5) and 21T(4) and (7)	a prison  Director of Correctional Services	the custody of the Commissioner of Correctional Services  Commissioner
section 21ZC, heading	<b>prison</b>	<b>custodial correctional facility</b>
section 21ZC(1) and (6)	Director	Commissioner
section 21ZC(1), (2)(a) to (e) and (6)	prison <i>(all references)</i>	custodial correctional facility

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section 21ZC(3)	<i>Prisons (Correctional Services) Act</i>	<i>Correctional Services Act</i>
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section 21ZS(3)(f)	prison	custodial correctional facility
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***Victims of Crime Rights and Services Act***

section 4, definitions <b><i>Director of Correctional Services</i></b> and <b><i>prison</i></b>	whole definition
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section 4	<i>(in alphabetical order)</i> <b><i>custodial correctional facility</i></b> , see section 11(1)(a) of the <i>Correctional Services Act</i> .
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section 4, definitions <b><i>Parole Board</i></b> and <b><i>parole order</i></b>	<i>of Prisoners</i>
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section 21(5)	Director of	Commissioner of
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section 22(1)(g)	prison	the custody of the Commissioner of Correctional Services
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section 22(1)(h) and (k) and (2)(d)	prison	a custodial correctional facility
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after section 22(1)(j)	<ul style="list-style-type: none"> <li>(ja) the date of release from a custodial correctional facility under an administrative home detention permit;</li> <li>(jb) the conditions of an administrative home detention permit;</li> <li>(jc) the variation, revocation, cancellation or discharge of an</li> </ul>
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		administrative home detention order;
section 22(1)(m)	or supervision order	, supervision order or administrative home detention permit
section 22(2)(a)	prison	custodial correctional facility
section 22(4)		<i>(in alphabetical order)</i> <b>administrative home detention permit</b> , see section 132 of the <i>Correctional Services Act</i> .
section 25, heading	<b>Director</b>	<b>Commissioner</b>
section 25(1)	Director <i>(first reference)</i>	Commissioner
	Director of Correctional Services	Commissioner
sections 25(2), 32(1)(c) and 33(c)	Director <i>(all references)</i>	Commissioner
<b>Weapons Control Act</b>		
section 12(1)(a)	whole paragraph	(a) a correctional officer (as defined in section 4 of the <i>Correctional Services Act</i> );
<b>Work Health and Safety (National Uniform Legislation) Act</b>		
section 103	all words after "in a"	custodial correctional facility (as defined in section 11(1)(a) of the <i>Correctional Services Act</i> ).



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**Youth Justice Regulations**

regulation 6, definition <b>supervising officer</b> , paragraph (a), after "probation"		and parole
regulations 7(1)(a) and (c) and 9(1), (2), (4) and (5)	Director (all references)	Commissioner
regulation 12, heading	<b>Director</b>	<b>Commissioner</b>
regulations 12(1) and (2), 13(1), 14(2) and (3) and 25(1)	Director (all references)	Commissioner
regulations 25(3) and 26(1), (2)(a) and (c) and (3) to (7)	surveillance (all references)	probation and parole
regulations 26(2) and 28(1)	Director	Commissioner
regulation 28(2)	surveillance	probation and parole
regulation 30, heading	<b>Director</b>	<b>Commissioner</b>
regulations 30(1) and 32(1), (1)(e) and (2)	Director	Commissioner
regulation 37(5)	prison (all references)	custodial correctional facility
regulations 42(1) and (3), 52(2) and (3), 54(3)(b) and (4), 55(1)(a) and (b) and (2) to (5) and 72(3)(g)	Director	Commissioner
regulation 73(1)(c) and Schedule 2, Form 6	prison (all references)	custodial correctional facility
Schedule 2, Form 8, note 2	<i>Director</i>	<i>Commissioner</i>
Schedule 2, Form 9	Director	Commissioner

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Schedule 2, Form 9, note 1	<i>Director</i>	<i>Commissioner</i>
Schedule 2, Form 9, note 2, after " <i>probation</i> "		<i>and parole</i>
Schedule 2, Form 9, after "probation" ( <i>all references</i> )		and parole
Schedule 2, Form 11	Director ( <i>all references</i> )	Commissioner
	surveillance ( <i>all references</i> )	probation and parole
Schedule 2, Form 11, note 1	<i>Director</i>	<i>Commissioner</i>
Schedule 2, Form 12	<i>prison</i>	<i>custodial correctional facility</i>
	prison ( <i>all references</i> )	custodial correctional facility
	Director	Commissioner
Schedule 2, Form 12, note 1	<i>Director</i>	<i>Commissioner</i>
Schedule 2, Forms 13 and 14	prison ( <i>all references</i> )	custodial correctional facility
Schedule 2, Forms 15 and 17	Director	Commissioner

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