

NORTHERN TERRITORY OF AUSTRALIA

CROSS-BORDER JUSTICE AMENDMENT REGULATIONS 2022

Subordinate Legislation No. 13 of 2022

Table of provisions

1	Title.....	2
2	Commencement	2
3	Regulations amended.....	2
4	Regulation 27 amended (New Part 5, Division 1, Subdivision 3)	2
5	Regulation 30 amended (New section 13A)	3
6	Regulation 31 amended (Modification of section 38 (Examination at approved treatment facility))	3
7	Regulation 32 amended (New section 38A)	3
8	Regulation 33 amended (New section 41A)	4
9	Regulation 34 amended (New Part 10, Division 1A).....	4
10	Regulation 51 amended (Modification of section 3 (Interpretation)).....	5
11	Regulation 55 (Modification of section 78P (Interpretation)).....	5
12	Regulation 58 amended (Modification of section 3 (Interpretation)).....	6
13	Repeal of Regulations	6



NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 13 of 2022*

Cross-border Justice Amendment Regulations 2022

I, Vicki Susan O'Halloran, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Cross-Border Justice Act 2009*.

Responsible Minister:

C. J. PAECH
Attorney-General and Minister for Justice

V. S. O'HALLORAN
Administrator

Date of making: 27 September 2022

1 Title

These Regulations may be cited as the *Cross-border Justice Amendment Regulations 2022*.

2 Commencement

These Regulations commence on the day after the day on which they are made.

3 Regulations amended

These Regulations amend the *Cross-border Justice Regulations 2009*.

4 Regulation 27 amended (New Part 5, Division 1, Subdivision 3)

- (1) Regulation 27
 - omit*
 - section 59
 - insert*
 - section 59A
- (2) Regulation 27, modified section 59A, heading
 - omit*
 - 59A**
 - insert*
 - 59B**
- (3) Regulation 27, modified section 59A(6), after "59"
 - insert*
 - , 59A
- (4) Regulation 27, modified section 59A, note
 - omit*
 - section 59A
 - insert*
 - section 59B

5 Regulation 30 amended (New section 13A)

Regulation 30, modified section 13A, definition **approved treatment facility**, paragraphs (b) and (c)

omit, insert

- (b) an approved treatment centre as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) an authorised hospital as defined in section 4 of the *Mental Health Act 2014* (WA).

6 Regulation 31 amended (Modification of section 38 (Examination at approved treatment facility))

- (1) Regulation 31, modified section 38(4), definition **approved treatment facility**, paragraphs (b) and (c)

omit, insert

- (b) an approved treatment centre as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) an authorised hospital as defined in section 4 of the *Mental Health Act 2014* (WA).

- (2) Regulation 31, modified section 38(4), definition **authorised psychiatric practitioner**, paragraphs (b) and (c)

omit, insert

- (b) a psychiatrist as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) a psychiatrist as defined in section 4 of the *Mental Health Act 2014* (WA).

7 Regulation 32 amended (New section 38A)

- (1) Regulation 32, modified section 38A, definition **approved treatment facility**, paragraphs (b) and (c)

omit, insert

- (b) an approved treatment centre as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) an authorised hospital as defined in section 4 of the *Mental Health Act 2014* (WA).

-
- (2) Regulation 32, modified section 38A, definition **authorised psychiatric practitioner**, paragraphs (b) and (c)

omit, insert

- (b) a psychiatrist as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) a psychiatrist as defined in section 4 of the *Mental Health Act 2014* (WA).

8 Regulation 33 amended (New section 41A)

- (1) Regulation 33, modified section 41A, definition **approved treatment facility**, paragraphs (b) and (c)

omit, insert

- (b) an approved treatment centre as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) an authorised hospital as defined in section 4 of the *Mental Health Act 2014* (WA).

- (2) Regulation 33, modified section 41A, definition **authorised psychiatric practitioner**, paragraphs (b) and (c)

omit, insert

- (b) a psychiatrist as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) a psychiatrist as defined in section 4 of the *Mental Health Act 2014* (WA).

9 Regulation 34 amended (New Part 10, Division 1A)

- (1) Regulation 34, modified section 73AA, definitions **approved temporary treatment facility** and **approved treatment facility**, paragraphs (b) and (c)

omit, insert

- (b) an approved treatment centre as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) an authorised hospital as defined in section 4 of the *Mental Health Act 2014* (WA).

-
- (2) Regulation 34, modified section 73AA, definition **authorised psychiatric practitioner**, paragraphs (b) and (c)

omit, insert

(b) a psychiatrist as defined in section 3 of the *Mental Health Act 2009* (SA); or

(c) a psychiatrist as defined in section 4 of the *Mental Health Act 2014* (WA).

- (3) Regulation 34, modified section 73AA, definition **designated mental health practitioner**, paragraph (b)

omit

section 3 of the *Mental Health Act 1996* (WA).

insert

section 4 of the *Mental Health Act 2014* (WA).

10 Regulation 51 amended (Modification of section 3 (Interpretation))

Regulation 51(2), modified section 3(1), definition **hospital**, paragraph (c), before "*Hospitals*"

insert

Private

11 Regulation 55 (Modification of section 78P (Interpretation))

- (1) Regulation 55, modified section 78P(1), definition **approved treatment facility**, paragraphs (b) and (c)

omit, insert

(b) an approved treatment centre as defined in section 3 of the *Mental Health Act 2009* (SA); or

(c) an authorised hospital as defined in section 4 of the *Mental Health Act 2014* (WA).

-
- (2) Regulation 55, modified section 78P(1), definition **authorised psychiatric practitioner**, paragraphs (b) and (c)

omit, insert

- (b) a psychiatrist as defined in section 3 of the *Mental Health Act 2009* (SA); or
- (c) a psychiatrist as defined in section 4 of the *Mental Health Act 2014* (WA).

12 Regulation 58 amended (Modification of section 3 (Interpretation))

Regulation 58(2), modified section 3(1), definition **hospital**, paragraph (c), before "*Hospitals*"

insert

Private

13 Repeal of Regulations

These Regulations are repealed on the day after they commence.