

EXPLANATORY STATEMENT

REMAND CENTRES (AMENDMENT) ORDINANCE 1988

NO. 51 OF 1988

The Remand Centres (Amendment) Ordinance 1988 amends the Remand Centres Ordinance 1976 ("the Principal Ordinance") to provide the conditions for the appointment and removal of Official Visitors to remand centres in the A.C.T. The Ordinance also extends from 1 month to 12 months the period for which the Minister may declare an area of land to be a temporary remand centre and corrects a reference in section 8 of the Principal Ordinance from visiting magistrate to Official Visitor.

Details of the Ordinance are:

Section 1 deals with citation.

Section 2 defines "Principal Ordinance" as the Remand Centres Ordinance 1976.

Section 3 amends section 5 of the Principal Ordinance to allow the Minister to declare an area of land to be a temporary remand centre for a period of twelve months.

Section 4 amends section 6A of the Principal Ordinance by inserting section 6(1A) which prohibits a public servant or Commonwealth employee from being appointed an Official Visitor. Section 6(1B) prohibits the appointment of a person, who does not have relevant qualifications or experience, as an Official Visitor.

Section 5 inserts new sections 6B and 6C.

New section 6B provides for an Official Visitor to be appointed for a period of 3 years and to be eligible for re-appointment.

New sub-section 6C(1) provides that an Official Visitor may resign by writing to the Minister.

New sub-section 6C(2) provides for removal of an Official Visitor for either:

- (a) misbehaviour, physical or mental incapacity; or
- (b) becoming bankrupt or otherwise financially insolvent; or
- (c) conviction for an offence punishable by imprisonment for one year or longer.

Section 6 amends section 8 of the Principal Ordinance by

substituting Official Visitor for visiting magistrate as the person to whom the Administrator of the remand centre is to make available all standing orders and instructions used in the day-to-day running of remand centres.

ISSUED BY THE AUTHORITY OF THE  
MINISTER OF STATE FOR THE ARTS  
AND TERRITORIES.