

Explanatory Statement

Australian Capital Territory

Parole Orders (Transfer) (Amendment) Ordinance 1987

Issued by the authority of the Attorney-General

No. 17, 1987

This Ordinance amends the Parole Orders (Transfer) Ordinance 1983.

The Parole Orders (Transfer) Ordinance 1983 (the 1983 Ordinance) provides for the registration in the Australian Capital Territory of parole orders made in the States and the Northern Territory. The States and the Northern Territory have similar legislation permitting the registration of parole orders made in other States, Northern Territory and the Australian Capital Territory.

The uniform legislation provides that the parole order sought to be registered in another jurisdiction shall be accompanied by the judgment or order by virtue of which the parolee became liable to the imprisonment to which the parole order relates or a certified copy of such a document. The jurisdiction to which the parole order is transferred has to keep a copy of the judgment or order or the certified copy of such a document in a register of transferred parole orders.

In practice, difficulties have been experienced in obtaining judgments, while some courts, particularly superior courts do not provide a document that can be described as an order by

virtue of which the parolee became liable to imprisonment. The amendments increase and vary the number and nature of documents that may be used to accompany requests for registration and which may be used for registration.

Sections 1 and 2 contain the title of the amending Ordinance and the Principal Ordinance.

Section 3 amends section 7 of the 1983 Ordinance to include a certificate of conviction or warrant of commitment as documents that may accompany a request for registration of a parole order.

Section 4 amends section 9 of the 1983 Ordinance to include a certificate of conviction or warrant of commitment or certified copies of those documents as documents that may be used for the registration of a parole order.

(Ord 22/87)