



Australian Capital Territory

Corrections Management Amendment Regulation 2015 (No 1)

Subordinate Law SL2015-2

The Australian Capital Territory Executive makes the following regulation under the *Corrections Management Act 2007*.

Dated 19 January 2015.

SHANE RATTENBURY
Minister

ANDREW BARR
Minister



Australian Capital Territory

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made under the

[Corrections Management Act 2007](#)

1 Name of regulation

This regulation is the *Corrections Management Amendment Regulation 2015 (No 1)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This regulation amends the *Corrections Management Regulation 2010*.

4 Section 50

substitute

50 Prescribed entities—Act, s 222 (3) (f)

- (1) The Commonwealth department responsible for administering social services legislation is prescribed for the relevant protected information about a detainee, if the information is reasonably necessary—
 - (a) to ensure the proper care or housing of a person who is or is likely to be provided with services by or on behalf of the department; or
 - (b) to decide the detainee’s eligibility to receive a Commonwealth payment or allowance.
- (2) The Commonwealth department responsible for administering the *Migration Act 1958* (Cwlth) is prescribed for the relevant protected information about a detainee, if the information is reasonably necessary for the purpose of deciding whether the detainee is eligible, under that Act, to remain in Australia.
- (3) The commissioner of taxation is prescribed for the relevant protected information about a detainee, if the information is reasonably necessary to assess the detainee’s liability to pay tax.

Note See the *Commonwealth Electoral Act 1918* (Cwlth), s 109 for information the director-general is required to give the Commonwealth Electoral Commissioner about certain detainees.

(4) In this section:

commissioner of taxation means the Commissioner of Taxation established under the *Taxation Administration Act 1953* (Cwlth), section 4.

relevant protected information, about a detainee, means the following information:

- (a) the detainee's full name, and any other name by which the detainee is, or has previously been, known;
- (b) the detainee's date of birth;
- (c) the address or area where the detainee lived before being detained;
- (d) the name of the correctional centre where the detainee is being detained;
- (e) the detainee's offender identification number;
- (f) the date the detainee's detention started;
- (g) the date the detainee's detention is expected to end;
- (h) if the information is for an entity mentioned in subsection (1)—
 - (i) the detainee's Centrelink card number; and
 - (ii) the type of Commonwealth payment or allowance the detainee received before the detainee's detention started; and
 - (iii) for a detainee under 19 years old—the name of the person who received a Commonwealth payment or allowance relating to the detainee before the detainee's detention started; and
 - (iv) the balance of the detainee's trust account held under the *Act*, section 84 (Trust accounts for detainees);

- (i) if the information is for an entity mentioned in subsection (2)—the detainee’s visa grant number or visa evidence number;
- (j) if the information is for an entity mentioned in subsection (3)—
 - (i) the detainee’s tax file number; and
 - (ii) the following information relating to a return lodged by the detainee, or the detainee’s liability to pay tax, in a financial year during the detainee’s detention:
 - (A) income earned by the detainee in the financial year;
 - (B) any other information relevant to the detainee’s liability to pay tax.

social services legislation means the following:

- (a) the *Child Support (Assessment) Act 1989* (Cwlth);
- (b) the *Child Support (Registration and Collection) Act 1988* (Cwlth);
- (c) the *Social Security Act 1991* (Cwlth).

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 22 January 2015.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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