

**Crimes (Administration of Sentences)  
Amendment (Norfolk Island Prisoners)  
Bill 2004**

New South Wales

**Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Crimes (Administration of Sentences) Act 1999* (**the principal Act**) to enable persons who are on remand for offences committed on Norfolk Island to be held in a New South Wales correctional centre until required for trial on Norfolk Island.

At present under the principal Act, it is lawful for a New South Wales correctional centre to receive and hold a Norfolk Island prisoner who is the subject of a warrant under the *Removal of Prisoners (Territories) Act 1923* of the Commonwealth.

However, a warrant under the Commonwealth Act can only relate to a person who has been sentenced to imprisonment. Under proposed Norfolk Island legislation that is based on the ACT's *Removal of Prisoners Act 1968*, the Norfolk Island authorities will be able to issue a warrant in relation to a person who has been sentenced to imprisonment as well as in relation to a person who is in custody on remand.

The Bill will bring the provisions of the principal Act relating to Norfolk Island prisoners into line with the provisions that currently apply in relation to ACT prisoners.

Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision that gives effect to the amendments to the *Crimes (Administration of Sentences) Act 1999* set out in Schedule 1.

**Schedule 1** contains the amendments to the *Crimes (Administration of Sentences) Act 1999* described in the overview above.