

PRISONS (AMENDMENT AND VALIDATION) BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Prisons Act, 1952—

- (a) to enable the area or name of a prison to be altered by proclamation (clause 2 (a)); and
 - (b) to declare the area of certain prisons within the meaning of that Act (clause 2 (b)).
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**PRISONS (AMENDMENT AND VALIDATION)
BILL, 1980**

No. , 1980.

A BILL FOR

An Act to amend the Prisons Act, 1952, to declare certain areas to be prisons, to enable the area or name of a prison to be altered by proclamation, and to validate certain matters.

[MR HAIGH—27 March, 1980.]

Prisons (Amendment and Validation).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 1. This Act may be cited as the "Prisons (Amendment and Validation) Act, 1980". Short title.

2. The Prisons Act, 1952, is amended—

Amendment
of Act No.
9, 1952.

(a) by inserting after section 5 (1) the following subsections :—

Sec. 5.
(Proclama-
tion of
prisons.)

10 (1A) The Governor may by proclamation published in the Gazette alter the area of a prison and shall, in any such proclamation, declare the prison, as from a date to be specified therein, to comprise the area as so altered.

15 (1B) The Governor may by proclamation published in the Gazette change the name of any prison.

(b) by inserting after section 5 the following section :— Sec. 5A.

20 5A. (1) The area (together with all buildings erected or to be erected thereon) shown, on the map entitled "Malabar Prison Complex" signed by the Minister and dated 13th March, 1980, and deposited in the office of the Commission, as being within boundaries indicated by—

Malabar
prison
complex.

(a) a red line is hereby declared to be a prison known as the "Central Industrial Prison";

25 (b) a green line is hereby declared to be a prison known as the "Metropolitan Reception Prison";

Prisons (Amendment and Validation).

- (c) a pink line is hereby declared to be a prison known as the "Metropolitan Remand Centre";
- (d) a blue line is hereby declared to be a prison known as the "Malabar Training Centre"; or
- 5 (e) an orange line is hereby declared to be a prison known as the "Katingal Special Security Unit".

(2) The areas (together with all buildings erected or to be erected thereon) shown, on the map referred to in subsection (1), as being within boundaries indicated by a yellow line are hereby declared to be a prison known as the "Malabar Periodic Detention Centre".

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(3) An area declared to be a prison by subsection (1) or (2) shall, for the purposes of this or any other Act or any other law, be deemed to have been that prison—

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- (a) in the case of an area referred to in subsection (1) (a), (b) or (c), on and from 30th June, 1967;
- 20 (b) in the case of the area referred to in subsection (1) (d), on and from 1st September, 1969;
- (c) in the case of the area referred to in subsection (1) (e), on and from 1st October, 1975; and
- 25 (d) in the case of an area referred to in subsection (2), on and from 1st March, 1971.

(4) A copy of or an extract from the map referred to in subsection (1) shall be admissible in evidence if it purports to be a copy of or an extract from that map and purports to be certified under the hand of the Chairman.

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Prisons (Amendment and Validation).

(5) For the purposes of this section, a copy of or an extract from the map referred to in subsection (1) may be to the same scale as the original or may be an enlarged or reduced copy or extract.

5 (6) Nothing in this section affects the operation of section 5.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

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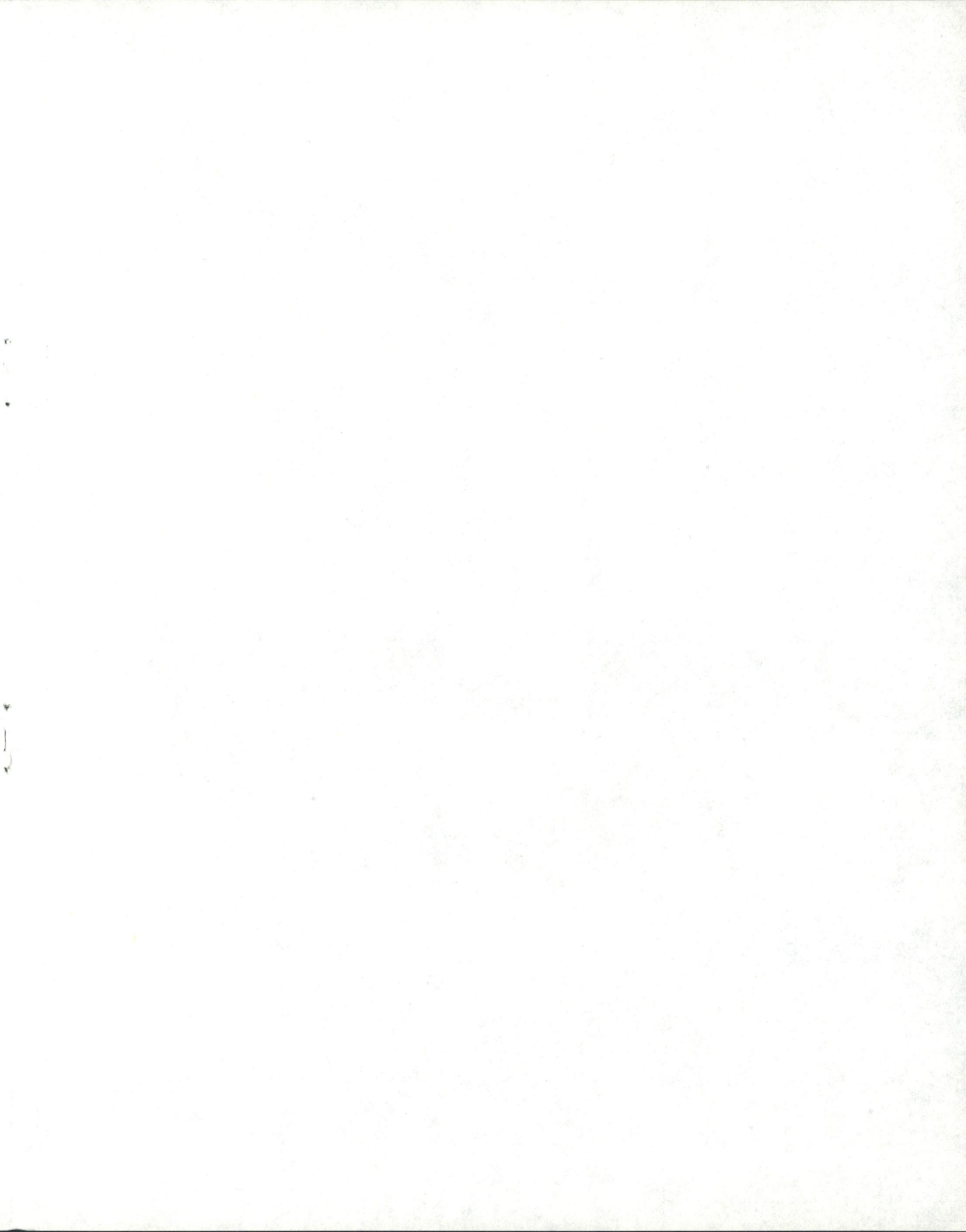
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[MR HAIGH—27 *March*, 1980.]

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BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the "Prisons (Amendment and Validation) Act, 1980". Short title.

2. The Prisons Act, 1952, is amended—

Amendment
of Act No.
9, 1952.

(a) by inserting after section 5 (1) the following subsections :— Sec. 5.
(Proclama-
tion of
prisons.)

10 (1A) The Governor may by proclamation published in the Gazette alter the area of a prison and shall, in any such proclamation, declare the prison, as from a date to be specified therein, to comprise the area as so altered.

15 (1B) The Governor may by proclamation published in the Gazette change the name of any prison.

(b) by inserting after section 5 the following section :— Sec. 5A.

20 5A. (1) The area (together with all buildings erected or to be erected thereon) shown, on the map entitled "Malabar Prison Complex" signed by the Minister and dated 13th March, 1980, and deposited in the office of the Commission, as being within boundaries indicated by— Malabar
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Prisons (Amendment and Validation).

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- (d) a blue line is hereby declared to be a prison known as the "Malabar Training Centre"; or
- 5 (e) an orange line is hereby declared to be a prison known as the "Katingal Special Security Unit".

10 (2) The areas (together with all buildings erected or to be erected thereon) shown, on the map referred to in subsection (1), as being within boundaries indicated by a yellow line are hereby declared to be a prison known as the "Malabar Periodic Detention Centre".

15 (3) An area declared to be a prison by subsection (1) or (2) shall, for the purposes of this or any other Act or any other law, be deemed to have been that prison—

- (a) in the case of an area referred to in subsection (1) (a), (b) or (c), on and from 30th June, 1967;
- 20 (b) in the case of the area referred to in subsection (1) (d), on and from 1st September, 1969;
- (c) in the case of the area referred to in subsection (1) (e), on and from 1st October, 1975; and
- 25 (d) in the case of an area referred to in subsection (2), on and from 1st March, 1971.

(4) A copy of or an extract from the map referred to in subsection (1) shall be admissible in evidence if it purports to be a copy of or an extract from that map and purports to be certified under the hand of the Chairman.

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Prisons (Amendment and Validation).

(5) For the purposes of this section, a copy of or an extract from the map referred to in subsection (1) may be to the same scale as the original or may be an enlarged or reduced copy or extract.

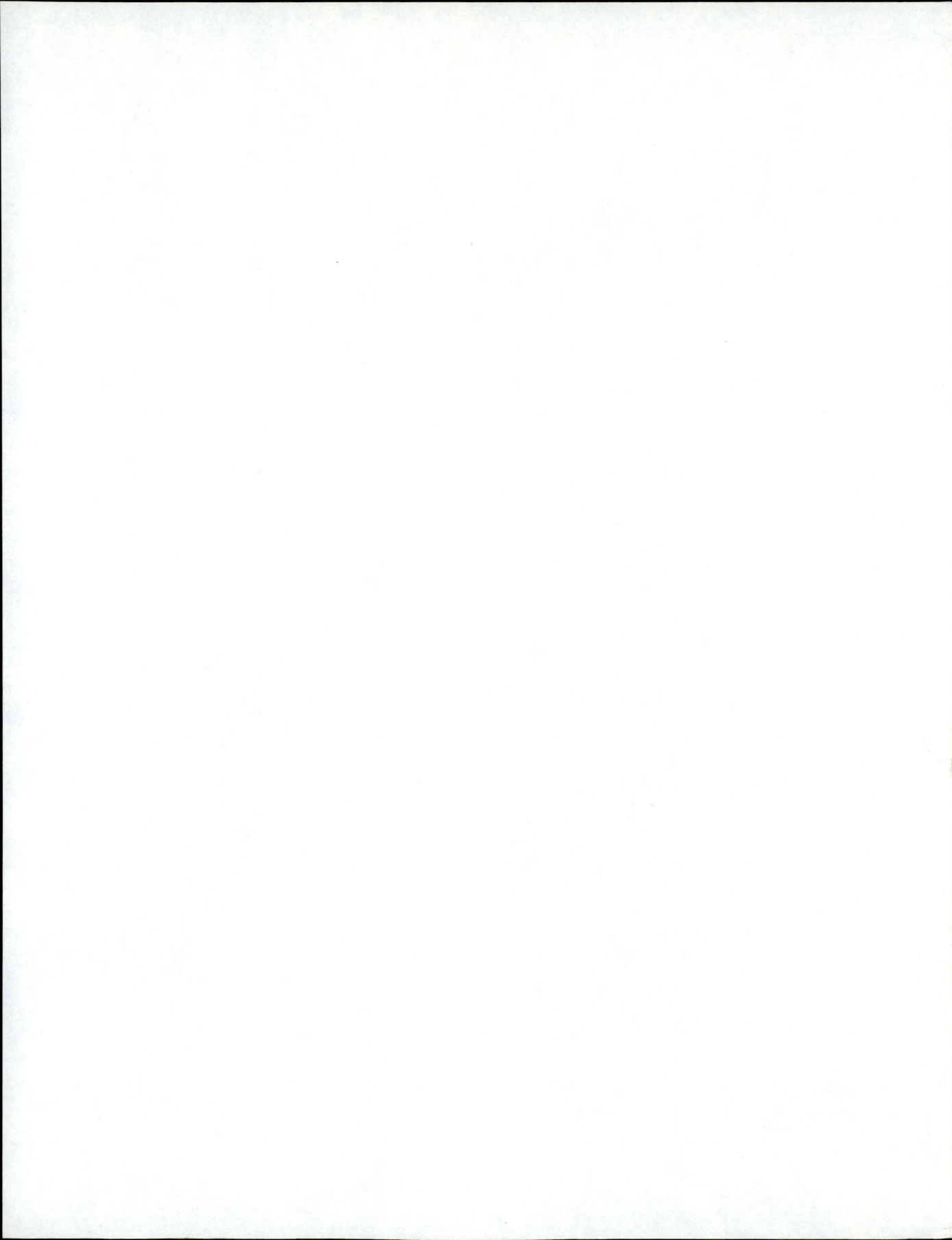
5 (6) Nothing in this section affects the operation of section 5.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(10c)





**PRISONS (AMENDMENT AND VALIDATION) ACT,
1980, No. 88**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 88, 1980.

An Act to amend the Prisons Act, 1952, to declare certain areas to be prisons, to enable the area or name of a prison to be altered by proclamation, and to validate certain matters. [Assented to, 1st May, 1980.]

Prisons (Amendment and Validation).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Prisons (Amendment and Validation) Act, 1980".

Amendment of Act No. 9, 1952. **2.** The Prisons Act, 1952, is amended—

Sec. 5. (Proclamation of prisons.) (a) by inserting after section 5 (1) the following subsections :—

(1A) The Governor may by proclamation published in the Gazette alter the area of a prison and shall, in any such proclamation, declare the prison, as from a date to be specified therein, to comprise the area as so altered.

(1B) The Governor may by proclamation published in the Gazette change the name of any prison.

Sec. 5A. (b) by inserting after section 5 the following section :—

Malabar prison complex. 5A. (1) The area (together with all buildings erected or to be erected thereon) shown, on the map entitled "Malabar Prison Complex" signed by the Minister and dated 13th March, 1980, and deposited in the office of the Commission, as being within boundaries indicated by—

(a) a red line is hereby declared to be a prison known as the "Central Industrial Prison";

(b) a green line is hereby declared to be a prison known as the "Metropolitan Reception Prison";

Prisons (Amendment and Validation).

- (c) a pink line is hereby declared to be a prison known as the "Metropolitan Remand Centre";
- (d) a blue line is hereby declared to be a prison known as the "Malabar Training Centre"; or
- (e) an orange line is hereby declared to be a prison known as the "Katingal Special Security Unit".

(2) The areas (together with all buildings erected or to be erected thereon) shown, on the map referred to in subsection (1), as being within boundaries indicated by a yellow line are hereby declared to be a prison known as the "Malabar Periodic Detention Centre".

(3) An area declared to be a prison by subsection (1) or (2) shall, for the purposes of this or any other Act or any other law, be deemed to have been that prison—

- (a) in the case of an area referred to in subsection (1) (a), (b) or (c), on and from 30th June, 1967;
- (b) in the case of the area referred to in subsection (1) (d), on and from 1st September, 1969;
- (c) in the case of the area referred to in subsection (1) (e), on and from 1st October, 1975; and
- (d) in the case of an area referred to in subsection (2), on and from 1st March, 1971.

(4) A copy of or an extract from the map referred to in subsection (1) shall be admissible in evidence if it purports to be a copy of or an extract from that map and purports to be certified under the hand of the Chairman.

Prisons (Amendment and Validation).

(5) For the purposes of this section, a copy of or an extract from the map referred to in subsection (1) may be to the same scale as the original or may be an enlarged or reduced copy or extract.

(6) Nothing in this section affects the operation of section 5.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 1st May, 1980.*