

# PRISONS ORDINANCE 1977

1123

No. 16 of 1977

An Ordinance to amend the *Prisons Ordinance*

[Assented to 26 May 1977]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Prisons Ordinance 1977*. Short title
2. The *Prisons Ordinance* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice published in the *Gazette*.\* Commencement
4. Section 4 of the Principal Ordinance is repealed. Repeal of Section 4
5. Section 5 of the Principal Ordinance is amended by omitting the definition of "Comptroller" and substituting:  
" 'Director' means the Director of Correctional Services appointed under this Ordinance;". Definitions
6. Section 6 of the Principal Ordinance is repealed and the following sections substituted:  
"6.(1) The Administrator in Council may appoint an employee of the Public Service of the Northern Territory to be Director of Correctional Services. Director of Correctional Services  
"(2) Subject to this Ordinance and subject to the direction of the Executive Member, the Director shall have the control of all prisons in the Territory.  
"6A.(1) The Director may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to an employee of the Public Service of the Northern Territory any of his powers under this Ordinance or the Regulations, other than this power of delegation. Delegation by the Director  
"(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Ordinance or the Regulations, be deemed to have been exercised by the Director.

\* The date fixed was 9 September 1977 (see *Northern Territory Government Gazette* No. 36 of 9 September 1977, page 4).

“(3) A delegation under this section does not prevent the exercise of a power by the Director.”.

**Prison officers**      **7.** Section 7 of the Principal Ordinance is amended by omitting “Executive Member” and substituting “Director”.

**Police prisons**      **8.** Section 13 of the Principal Ordinance is amended by omitting sub-section (2) and substituting the following sub-section:

“(2) Subject to this Ordinance and subject to the direction of the Executive Member the Director shall have the care, direction and control of all police prisons in the Territory.”.

**Visiting justices**      **9.** Section 14(4) of the Principal Ordinance is amended by omitting “Executive Member” (second occurring) and substituting “Director”.

**10.** Section 22 of the Principal Ordinance is repealed and the following section substituted:

**Removal of prisoners by Director**      “22. The Director may cause all or any of the prisoners confined in a prison or police prison to be removed to any other prison or police prison.”.

**Amendments of certain sections**      **11.** Sections 10(1), 18(2), 19, 20, 30, 31, 32 and 34 of the Principal Ordinance are amended by omitting “Comptroller” (wherever occurring) and substituting “Director”.

**Savings**      **12.** An appointment duly made, or other action duly taken or done, before the commencement of this Ordinance under or for the purposes of a provision of the Principal Ordinance and having effect immediately before the commencement of this Ordinance is as valid and effectual as if duly made, taken or done under or for the purposes of that provision as amended by this Ordinance.

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