



Penal Institutions Amendment Regulations 2002

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 13th day of June 2002

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 45 of the Penal Institutions Act 1954, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

- (1) These regulations are the Penal Institutions Amendment Regulations 2002.
- (2) In these regulations, the Penal Institutions Regulations 2000¹ are called “the principal regulations”.

¹ SR 2000/81

2 Commencement

These regulations come into force on 30 June 2002.

3 Superintendents not to authorise staff members to exercise certain powers

Regulation 19(3) of the principal regulations is amended by omitting the words “section 81(5) of the Criminal Justice Act 1985”, and substituting the words “section 92(3) of the Parole Act 2002”.

4 Inmate register

Regulation 32 of the principal regulations is amended by omitting from paragraph (d)(iii) the words “as entered on the warrant of commitment under section 81 of the Criminal Justice Act 1985”.

5 Procedure when inmate released from institution

Regulation 38 of the principal regulations is amended by revoking subclause (2), and substituting the following subclause:

“(2) This regulation is subject to section 52 of the Parole Act 2002.”

6 General random testing programme

Regulation 172 of the principal regulations is amended by revoking subclause (3), and substituting the following subclause:

“(3) Subclause (2)(b) does not apply to an inmate who is within 10 days of—

“(a) the inmate’s statutory release date; or

“(b) the inmate’s applicable release date as defined in section 107(9) of the Parole Act 2002; or

“(c) the date on which the inmate is to be released on parole in accordance with a decision of the Parole Board; or

“(d) the inmate’s final release date (if he or she is to be released under section 104 of the Parole Act 2002).”

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 30 June 2002, amend the Penal Institutions Regulations 2000 by making changes consequential on the enactment of the Parole Act 2002 and the Sentencing Act 2002.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 20 June 2002.

These regulations are administered in the Department of Corrections.
