

Cross-border Justice Act 2008

Cross-border Justice Amendment Regulations 2020

SL 2020/164

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Cross-border Justice Amendment Regulations 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) regulation 7 — on the day on which the *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2020* section 95 comes into operation;
- (c) the rest of the regulations — on the day on which the *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2020* sections 9 to 86, 88 and 89 and Part 3 come into operation.

3. Regulations amended

These regulations amend the *Cross-border Justice Regulations 2009*.

4. Regulation 55 replaced

Delete regulation 55 and insert:

55. Section 53 altered

Before section 53(3) insert:

- (1)^{1M} A warrant of commitment issued under section 52S(4) cannot commit an offender to prison in another participating jurisdiction.

5. Regulation 100 amended

In regulation 100(2) delete “section 48” and insert:

section 96

6. Regulation 137 replaced

Delete regulation 137 and insert:

137. Reduction of fine when work performed or period of custody served

For section 130(2)(c)(iii) of the Act, the amount by which a fine is reduced must be calculated as follows —

- (a) if the fine is reduced because an offender has satisfactorily performed all or some of the required hours of a work and development order made under the Fines Enforcement Act section 48 — in accordance with the Fines Enforcement Act section 51 and the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* regulation 6B;

- (b) if the fine is reduced because of the issue or operation of a fine expiation order issued under the Fines Enforcement Act section 52F — in accordance with the Fines Enforcement Act sections 52H and 52I and the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* regulation 6BAAA.

7. Regulation 137 amended

Before regulation 137(a) insert:

- (aa) if the fine is reduced because an offender has satisfactorily undertaken all or some of the activity stated in a work and development permit issued under the Fines Enforcement Act section 46D — in accordance with the Fines Enforcement Act section 46G and the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* regulation 6AE;

Note: The heading to amended regulation 137 is to read:

Reduction of fine when work or activity performed or period of custody served

8. Various references to Northern Territory legislation amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
r. 10(2) and (5) r. 35(2) r. 37 r. 39(2) r. 40(2) and (3) r. 41(2) r. 42(2) r. 44(2)	<i>Mental Health and Related Services Act</i> (Northern Territory) (each occurrence)	<i>Mental Health and Related Services Act 1998</i> (Northern Territory)
r. 43 r. 107 r. 133(1)	<i>Correctional Services Act</i> (Northern Territory)	<i>Correctional Services Act 2014</i> (Northern Territory)
r. 63 r. 65 r. 68(2)	<i>Cross-border Justice Act</i> (Northern Territory)	<i>Cross-border Justice Act 2009</i> (Northern Territory)
r. 118(2)	<i>Lands Acquisition Act</i> (Northern Territory)	<i>Lands Acquisition Act 1978</i> (Northern Territory)
r. 120	<i>Youth Justice Act</i> (Northern Territory)	<i>Youth Justice Act 2005</i> (Northern Territory)

Provision	Delete	Insert
r. 122	<i>Local Government Act</i> (Northern Territory)	<i>Local Government Act 2008</i> (Northern Territory)

V. MOLAN, Clerk of the Executive Council.
