

1963/61

**THE VISITING FORCES (PENAL ARRANGEMENTS)
ORDER 1963**

BERNARD FERGUSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 29th day of April 1963

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Visiting Forces Act 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. This order may be cited as the Visiting Forces (Penal Arrangements) Order 1963.

2. Members of a visiting force, if sentenced by a service court of that part of the Commonwealth to which the force belongs to penal servitude, imprisonment, or detention, may, under the authority of the Minister of Defence given at the request of the officer commanding the visiting force, and, in the case of a person who is to be detained in a prison, with the concurrence of the Minister of Justice, be temporarily detained in custody in prisons or detention barracks in New Zealand, and, if so sentenced to imprisonment, may, under the like authority and with the like concurrence, be imprisoned during the whole or any part of the term of their sentences in prisons in New Zealand.

3. The provisions of any enactment, regulations, rules, or orders, so far as they relate to or are applied in relation to the reception of prisoners from and their return to the service authorities, their treatment while so imprisoned, the circumstances under which they are to be released, and the manner in which they are to be dealt with in the event of their unsoundness of mind while in such custody or while so imprisoned, shall apply in relation to the members of any visiting force sentenced as aforesaid in like manner as they apply to members of the New Zealand forces of a like nature to the visiting forces sentenced by a service court, subject to the modification that for any reference in any such enactment, regulations, rules, or orders to any service authority there shall be substituted a reference to the corresponding service authority of the part of the Commonwealth to which the visiting force belongs, and subject to such other modifications as may be necessary.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order makes provision for the detention, on request of the officer commanding the visiting force, in prisons or detention barracks in New Zealand of members of any visiting force who are sentenced by a service court of the part of the Commonwealth to which the force belongs. The provisions of New Zealand law relating to the corresponding New Zealand force will apply to a member of a visiting force detained pursuant to the order.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 2 May 1963.

These regulations are administered in the Navy Department.