

Unvalidated References:
Parole Act 1991

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. 6 of 1992.

Parole Regulation 1992

ARRANGEMENT OF SECTIONS.

1. Particulars of detainee eligible for parole.
2. Notice of withdrawal of refusal to be considered for parole.
3. Request for report on detainee eligible for parole.
4. Order for parole.
5. Refusal of parole.
6. Application after refusal of parole.
7. Release of parolee from detention.
8. Application for suspension, etc., of order for parole.
9. Notification of decision of Parole Board on breach of order for parole.
10. Discharge of Parole Order.

Parole Regulation 1992

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Parole Act 1991*.

Dated 200 .

1. PARTICULARS OF DETAINEE ELIGIBLE FOR PAROLE.

The form for particulars of a detainee eligible for parole as required by Section 18 of the Act shall be in Form 1.

2. NOTICE OF WITHDRAWAL OF REFUSAL TO BE CONSIDERED FOR PAROLE.

A notice of withdrawal of refusal to be considered for parole under Section 19(2) of the Act shall be in Form 2.

3. REQUEST FOR REPORT ON DETAINEE ELIGIBLE FOR PAROLE.

A request by the Board under Section 20(1) of the Act for a report on a detainee eligible for parole shall be in Form 3.

4. ORDER FOR PAROLE.

An order for grant of parole under Section 21 of the Act shall be in Form 4.

5. REFUSAL OF PAROLE.

Notification of refusal of parole under Section 21 of the Act shall be in Form 5.

6. APPLICATION AFTER REFUSAL OF PAROLE.

An application under Section 22(1) of the Act for parole after refusal of parole shall be in Form 6.

7. RELEASE OF PAROLEE FROM DETENTION.

An authorization of the release of the parolee from detention under Section 23 of the Act shall be in Form 7.

8. APPLICATION FOR SUSPENSION, ETC., OF ORDER FOR PAROLE.

An application for—

- (a) suspension of; or
- (b) variation of; or
- (c) addition of conditions to,

an order for parole under Section 25 of the Act shall be in Form 8.

9. NOTIFICATION OF DECISION OF PAROLE BOARD ON BREACH OF ORDER FOR PAROLE.

Notification of a decision of the Parole Board in relation to breach of parole under Section 27 of the Act shall be in Form 9.

10. DISCHARGE OF PAROLE ORDER.

A discharge of a parole order under Section 28 of the Act shall be in Form 10.

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Form 1 – Particulars of detainee eligible for parole.

Act, Section 18 FORM 1.Reg., Section 2

To the PAROLE BOARD.

... (*name of detainee*) now in the ... Corrective Institution becomes eligible for parole on the ... day of ... 20...

PARTICULARS.

The following particulars are supplied in respect of the detainee:

Name:...

Date of warrant committing detainee: ...

Offence(s) for which committed: ...

Sentence(s) (*indicate whether cumulative or concurrent*):

...

Further sentences since committal (*include any disciplinary offences*):

...

NOTIFICATION TO DETAINEE.

On the ... day of ... 20... the detainee was notified by ... (*name of officer*) of his eligibility for parole.

Signature of officer: ...

ACKNOWLEDGMENT BY DETAINEE.

I wish/refuse to be considered for parole (*delete as appropriate*).

Signature of detainee: ...

DATED this ... day of ... 20...

COMMISSIONER.

s. 10.

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Parole Act 1991.

Form 2 – Notice of withdrawal of refusal to be considered for parole.

Act, Section 19 FORM 2.Reg., Section 2

To the PAROLE BOARD.

...

who on the ... day of ... 20... indicated a refusal to be considered for parole did on the ... day of ... 20... withdraw his refusal to be considered for parole.

Signature of detainee: ...

DATED this ... day of ... 20...

COMMISSIONER.

s. 10.

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Parole Act 1991.

***Form 3 – Request to commissioner/chief parole officer for report on
detainee eligible for parole.***

Act, Section 20 FORM 3.Reg., Section 3

THE PAROLE BOARD having on the ... day of ... 20... received information relating to ... (*name of detainee*) at ... Correctional Institution who will be eligible for parole on the ... day of ... 20...

(use this section if the detainee has not been refused parole),

OR

received an application from ... (*name of detainee*) who was refused parole on the ... day of ... 20... and has now applied for parole:

(use this section for a detainee who has been refused parole but is now applying for parole).

requests that you now provide the Board with a report on the detainee in order that parole may be considered.

DATED this ... day of ... 20...

PAROLE BOARD.

s. 10.

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Parole Act 1991.

Form 4 – Order for parole.

Act, Section 21

FORM 4.Reg., Section 4

TO: ... (*name of parolee*)

The PAROLE BOARD did on the ... day of ... 20... grant to you an ORDER FOR PAROLE to take effect from the ... day of ... 20...

CONDITIONS OF PAROLE.

(for conditions see back)

ADDITIONAL CONDITIONS:

(Set out any additional conditions)

...

DATED this ... day of ... 20...

Signature of Parolee: ...

PAROLE BOARD.

ORDER SUSPENDING/VARYING/IMPOSING ADDITIONAL CONDITIONS

UPON THE APPLICATION OF: ... the Parolee OR a Parole Officer OR the Parole Board (*Delete as applicable*) for an Order suspending/varying/imposing additional conditions of an Order for Parole granted to you and dated the ... day of ... 20...

IT IS ORDERED that the following conditions be suspended/varied/imposed:

set out the conditions suspended/varied/imposed.

...

DATED this ... day of ... 20...

PAROLE BOARD.

CONDITIONS OF PAROLE.

The order for Parole is granted subject to the following conditions:

1. That you report immediately upon your release from custody to the ... office of the Parole Service;
2. That you report to a Parole Officer or Voluntary Parole Officer as and when you are required by the Officer to do so;
3. That you keep the peace and be of good behaviour;
4. That you follow any directions or instructions given to you by a Parole Officer;
5. That you shall not change your place of residence unless you have given to a Parole Officer reasonable notice of your intention to do so and the reasons for the proposed change, and the Parole Officer has given you permission to change your place of residence and you comply with any orders given to you by the Parole Officer in relation to your change of residence;
6. That you shall give reasonable notice to a Parole Officer of your intention to change your employment and advise him of the reasons for the change and the nature and place of your proposed employment;
7. That you shall give reasonable notice to a Parole Officer of any contracts, debts or financial undertakings which you propose to incur or enter into which might have a significant effect on your income or family situation.
8. That you shall allow a Parole Officer or Voluntary Parole Officer to enter your home during reasonable hours for the purposes of the *Parole Act*.

PAPUA NEW GUINEA.

Parole Act 1991.

Form 5 – Refusal of parole.

Act, Section 21

FORM 5.Reg., Section 5

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TO: ... (*name of detainee*)

The PAROLE BOARD did on the ... day of ... 20... refuse you parole.

DATED this ... day of ... 20...

PAROLE BOARD

NOTICE

You may apply for parole again 12 months from the date of this refusal.

PAPUA NEW GUINEA.

Parole Act 1991.

Form 6 – Application after refusal of parole.

Act, Section 22

FORM 6.Reg., Section 6

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To the PAROLE BOARD.

I, ... a detainee in ... collective institution who was refused parole on the ... day of ...
20... now apply for Parole.

Signature of detainee: ...

DATED this ... day of ..., 20...

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Parole Act 1991.

Form 7 – Release of parolee from detention.

Act, Section 23

FORM 7.Reg., Section 7

s. 10.

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TO the Officer in Charge, ... Correctional Institution:

I, ... a Parole Officer have on the ... day of ... 20... contacted ... (*name of parolee*) and explained to him the terms of his parole.

AND you are hereby authorized to release him from detention.

Signature of Parole Officer: ...

DATED this ... day of ... 20...

PAPUA NEW GUINEA.

Parole Act 1991.

Form 8 – Application for suspension/variation/addition of conditions of order for parole.

Act, Section 25 FORM 8.Reg., Section 8

TO the PAROLE BOARD.

I, ... (*name of applicant*) a Parole Officer OR parolee (*delete as applicable*) hereby apply for suspension/ variation/ addition (*delete as applicable*) of the following conditions to the Order for Parole made in relation to ... (*name of parolee*) on the ... day of ... 20...

Additional conditions to be suspended/ varied/ added:

(*set out details of current and proposed conditions*)

...

Signature of applicant: ... (parolee/Parole Officer)

DATED this ... day of ... , 20...

(*Where applicant is a parolee, the following must be completed by a Parole Officer*):

The applicant has informed me of his intention to make application as set out above.

Signature of Parole Officer: ...

DATED this ... day of ... , 20...

PAPUA NEW GUINEA.

Parole Act 1991.

Form 9 – Decision of Parole Board on breach of order for parole.

Act, Section 27 FORM 9.Reg., Section 9

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The PAROLE BOARD having on the ... day of ... 20... considered the breach of an Order for Parole dated the ... date of ... , 20... in respect of ... (*name of parolee*) makes the following DECISION in respect of the Order:

(Circle the appropriate Decision and fill in any appropriate details)

1. The Order is revoked and the parolee shall return to a correctional institution to serve the remainder of the sentence to which the Order relates.
2. The Order is not revoked and shall continue in full force and effect.
3. The Order is not revoked but is varied by the imposition of the following additional conditions:

....

DATED this ...day of..., 20...

PAPUA NEW GUINEA.

Parole Act 1991.

Form 10 – Discharge of Parole Order.

Act, Section 28

FORM 10.Reg., Section 10

s. 10.

Parole Regulation 1992

The PAROLE BOARD hereby DISCHARGES the Order for Parole dated the ... day of ... 20... relating to ... who is deemed, in accordance with Section 28 of the *Parole Act 1991*, to have served the sentence of imprisonment in respect of which the Order for Parole was granted.

DATED this ...day of..., 20...

PAROLE BOARD.

Parole Regulation 1992