

To be inserted by Court

Case Number:

Date Signed:

FDN:

Hearing Date and Time:**Hearing Location:**

ORDER – PRISONERS (INTERSTATE TRANSFER) ACT – PRODUCTION OF PRISONER

Prisoners (Interstate Transfer) Act 1982 s 14

MAGISTRATES COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[FULL NAME]
Applicant

Lodging Party	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))		
Name of law firm / solicitor If any	Law Firm	Solicitor	

Person in Custody			
Person in Custody	Full Name		
Date of Birth	Date of Birth		
Name of institution	Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

To the [name and/or position of manager of relevant SA prison]. With notice to the Sheriff of South Australia; the Chief Executive of the Department of Correctional Services; [name of prisoner] and the Attorney-General of South Australia.

Introduction

[Judicial Officer Title] [Name]

If applicable

Application made by: [Party titles and names]

If applicable

Appearances: [name, solicitor/counsel for the Party titles / in person]

Recitals

The applicant has made an application pursuant to section 14(1) of the *Prisoners (Interstate Transfer) Act 1982* that [name of prisoner] be produced before the Magistrates Court for a hearing to determine whether an order should be made for the transfer of [name of prisoner] to [participating State or Territory].

The Magistrates Court is satisfied that:

- (a) the Attorney-General of South Australia has consented to the transfer of [name of prisoner] born on [date of birth] to [participating State/Territory];
- (b) in the case of a request for the transfer of a prisoner to a participating State the Attorney-General of [participating State] has consented to or requested the transfer of the prisoner;
- (c) In the case of a request for the transfer of a prisoner to a Territory or a request for the transfer of a prisoner to be with in respect of an arrest warrant issued in accordance with the law of the Commonwealth the Attorney-General of the Commonwealth has either consented to or requested the transfer.

Date of Order:

Terms of Order

It is ordered that pursuant to section 14(1) of the *Prisoners (Interstate Transfer) Act 1982* that [name of prisoner] attend at the [location] Magistrates Court on [date] at [time].

To the Sheriff of South Australia and the Chief Executive of the Department of Correctional Services

YOU ARE DIRECTED to produce the above-named prisoner in accordance with this order to appear before the Court by audio visual link.

To the above-named prisoner:

You are entitled to be represented by a legal practitioner.

You will appear before the Court via audio visual link for a hearing to determine whether you should be transferred interstate. If you do not consent to appearing by audio visual link, you may object during your first appearance before the Court and elect to appear in person.

Service

The Applicant is required to serve this order on the above-named prisoner and the Attorney-General of South Australia.

Authentication

.....
Signature of Magistrate
[title and name]