

ASYLUM SEEKERS (REGIONAL PROCESSING CENTRE)

Table of Contents

Page

Principal

Asylum Seekers (Regional Processing Centre) Act 2012

Table of Provisions	991
Table of Amendments	993
Asylum Seekers (Regional Processing Centre) Act 2012	995

Subsidiary

Regional Processing Centre Rules 2016

Table of Provisions	1017
Table of Amendments	1019
Regional Processing Centre Rules 2016	1021

Asylum Seekers (Regional Processing Centre) Act 2012

TABLE OF PROVISIONS

Section

Title

PART 1 — PRELIMINARY

- | | |
|---|----------------------------------|
| 1 | Short title |
| 2 | Commencement |
| 3 | Definitions |
| 4 | Refugee protections not affected |

PART 2 — REGIONAL PROCESSING CENTRES

DIVISION 1 — DUTIES OF OPERATIONAL MANAGER

- | | |
|---|-------------------|
| 5 | General duty |
| 6 | Particular duties |

DIVISION 2 — CENTRE RULES

- | | |
|---|---|
| 7 | Power to make rules |
| 8 | Power of Minister to cause Centre rules to be changed |

DIVISION 3 — OBLIGATIONS OF PROTECTED PERSONS

- | | |
|---|----------------------------------|
| 9 | Obligations of protected persons |
|---|----------------------------------|

DIVISION 4 — HEALTH AND SECURITY CLEARANCE

- | | |
|----|--|
| 10 | Assessment about health and security [<i>Repealed</i>] |
| 11 | Cancellation of certificate [<i>Repealed</i>] |
| 12 | Suspension of certificate [<i>Repealed</i>] |

DIVISION 5 — INSPECTION

- | | |
|----|------------|
| 13 | Inspection |
|----|------------|

PART 3 — PROTECTION OF CHILDREN

- | | |
|----|--|
| 14 | Rights of children |
| 15 | Guardianship of unaccompanied children |

PART 4 — ENFORCEMENT

DIVISION 1 — SERVICE PROVIDERS AND AUTHORISED OFFICERS

- | | |
|----|------------------------------------|
| 16 | Agreement with service provider |
| 17 | Appointment of authorised officers |

*Section**Title***DIVISION 2 — POWERS OF AUTHORISED OFFICERS AND POLICE**

- 18 Taking prohibited or controlled items into Centre
- 18A Removing items from or bringing items into Centre
- 18B Entering Centre without approval
- 18C Open Centre
- 18D Interviewing and photographing protected persons, etc

DIVISION 3 — POWERS OF AUTHORISED OFFICERS AND POLICE

- 19 Power of authorised officers to search
- 19A Powers of authorised officer to search premises
- 19B Provisions relating to search of persons
- 19C Preservation of privacy and dignity
- 19D Rules for conduct of strip searches
- 19E General search provisions [*Repealed*]
- 20 Powers do not extend to other staff members
- 21 Power of police to search persons
- 22 Power of police to search premises
- 23 Power of police to arrest absentees [*Repealed*]
- 24 Authority to use reasonable force
- 24A Handover and hand back of Centre
- 24B Powers in emergency
- 25 Protection from liability
- 26 Other police powers not affected

PART 5 — MISCELLANEOUS

- 27 Delegation
- 28 Regulations

Asylum Seekers (Regional Processing Centre) Act 2012

TABLE OF AMENDMENTS

The Asylum Seekers (Regional Processing Centre) Act 2012 No 21 was certified on 21 December 2012 and commenced on 15 March 2013 (GN No 181/2013; Gaz 40/2013).

Amending Legislation	Certified	Date of Commencement
Asylum Seekers (Regional Processing Centre) (Amendment) Act 2014 No 3	21 May 2014	21 May 2014
Asylum Seekers (Regional Processing Centre) (Amendment) Act 2014 No 25	23 December 2014	30 December 2014
Asylum Seekers (Regional Processing Centre) (Amendment) Act 2015 No 23	23 October 2015	23 October 2015
Crimes Act 2016 No 18	12 May 2016	Sch 2 clauses 3, 4: 12 May 2016
Asylum Seekers (Regional Processing Centre) (Amendment) Act 2017 No 16	3 August 2017	3 August 2017
Asylum Seekers (Regional Processing Centre) (Amendment) Act 2018 No 29	4 October 2018	4 October 2018
Revised Written Laws Act 2021 No 7	1 June 2021	1 June 2021