



Information for completing: **Form C: Application for transfer from Australia — prisoner serving suspended sentence**

When to use this form

Use this form if you are applying for transfer from Australia to another country and you are serving the suspended part of a sentence.

Providing information

- A number of factors are considered when a transfer application is being assessed. These include a prisoner's eligibility for transfer, citizenship and residency status, sentence enforcement, rehabilitation and reintegration prospects, community ties and humanitarian concerns.
- The information you provide on this form will assist assessment of your application against the factors listed above and those outlined in the Australian Government's International Transfer of Prisoners Statement of Policy, which can be accessed from the Commonwealth Attorney-General's Department (AGD) website www.ag.gov.au
- Please ensure you provide as much detail as possible when completing the form. Your application may be delayed if you do not provide sufficient information. You may include with your application, on separate pages, any additional information that you consider may assist your application.
- The personal information you provide on this form may be disclosed to other parties for the purpose of processing your application. For further information, see Form G: Collection, Use and Disclosure of Personal Information, available on the AGD website. Form G must be completed and returned with your application form.
- If applicable, you may be asked to provide other documents at a later date, such as birth or marriage certificates or other officially issued name change certificates to support your application. If your transfer is successful, a valid travel document is required before physical transfer can take place.
- If you require further information contact the International Transfer of Prisoners Unit, in the Commonwealth Attorney-General's Department, on (02) 6141 6666, at itp@ag.gov.au or refer to the AGD website.

Filling in this form

Please use blue or black pen. Mark boxes like this with a ✓ or ✘.

Where you see a box and instruction like this ► Go to 3, skip to the question number shown. You do not need to answer the questions in between.

Application checklist

- | | |
|--|---|
| <input type="checkbox"/> Complete and sign Form C. | <input type="checkbox"/> Return completed forms to: |
| <input type="checkbox"/> Complete and sign Form G: Collection, Use and Disclosure of Personal Information. | International Transfer of Prisoners Unit |
| <input type="checkbox"/> Ensure that Form G is witnessed. | International Crime Cooperation Division |
| | Attorney-General's Department |
| | 3-5 National Circuit |
| | BARTON ACT 2600 |

You may keep this page for your information.

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Form C: Application for transfer from Australia — prisoner serving suspended sentence

COMMONWEALTH OF AUSTRALIA

International Transfer of Prisoners Act 1997

APPLICATION FOR TRANSFER FROM AUSTRALIA OF PRISONER SERVING SUSPENDED SENTENCE

1 APPLICATION STATEMENT

I,
[name of prisoner]

a prisoner within the meaning
of the *International Transfer of Prisoner Act 1997* and serving the suspended part of a sentence in
.....
[name of State or Territory]

apply, under section 16 of that Act, for transfer to.....
[name of transfer country]

to complete serving my sentence on the terms agreed under that Act.

2 APPLICANT DETAILS:

2(a) Family name:

2(b) Given name(s):

2(c) Name at birth (if different):

2(d) Other names (if any) you have used or been known by*:

2(e) Date of birth: / /

2(f) Place of birth:

2(g) Sex: Male Female

2(h) Current address:

*For example: previous married name, Aboriginal or tribal name, alias, adoptive name, foster name.

3 DETAILS ABOUT APPLICANT'S PARENTS:

[Please provide the following information, if known, about your parents. If you are adopted, provide the information about your adopted parents.]

| Parent | Family name | Given name/s | Date of birth | Country of birth |
|--------|-------------|--------------|---------------|------------------|
| Mother | | | / / | |
| Father | | | / / | |

4 CITIZENSHIP OF APPLICANT

4(a) Are you an Australian citizen?

Yes No Go to 7

4(b) Were you born in Australia?

Yes No

4(c) Under what name did you acquire Australian citizenship?

Birth name

Other Please state:

4(d) On what date did you acquire Australian citizenship?

At birth Other Please state: / /

5 CITIZENSHIP OF APPLICANT'S PARENTS AND RELATED MATTERS

[Please provide the following information, if known, about your parents. If you are adopted, provide the information about your adopted parents.]

5(a) Was your father or mother working as a foreign diplomat or consular officer in Australia at the time of your birth?

Yes, mother Yes, father No

5(b) At the time of your birth, was your mother an Australian citizen or did she hold a permanent visa that allowed her to travel to, enter and remain in Australia?

Yes, Australian citizen Yes, permanent visa No

5(c) At the time of your birth, was your father an Australian citizen or did he hold a permanent visa that allowed him to travel to, enter and remain in Australia?

Yes, Australian citizen Yes, permanent visa No

5(d) Did your mother or father become a citizen of another country after you were born and before you reached 18 years of age?

No Yes State each country and date citizenship granted.

[Do not include countries they were citizens of at the time of your birth.]

| Country | Parent (mother or father) | Date citizenship granted |
|---------|---------------------------|--------------------------|
| | | / / |
| | | / / |

6 CITIZENSHIP IN ADDITION TO AUSTRALIAN CITIZENSHIP

[Complete this section if you are an Australian citizen]

Are you a citizen of any country other than Australia?

No Go to 9

Yes State each country and date citizenship granted below; then go to 9

| Country | Date citizenship granted |
|---------|--------------------------|
| | / / |
| | / / |

7 NON-AUSTRALIAN CITIZENSHIP

[Complete this section if you are not an Australian citizen]

State each country of which you currently hold citizenship (including citizenship gained by birth) and the date citizenship was granted.

| Country | Date citizenship granted |
|---------|--------------------------|
| | / / |
| | / / |

8 AUSTRALIAN PERMANENT RESIDENCY

[Complete this section if you are not an Australian citizen.]

Do you hold a permanent visa that allows you to travel to, enter and remain in Australia?

No Go to 9

Yes State the date the visa was granted and the name under which you were granted the visa

| Date visa granted | Name under which you were granted the visa |
|-------------------|--|
| / / | |

9 PASSPORT DETAILS

9(a) Country of passport:

9(b) Family name on passport:

9(c) Given name(s) on passport:

9(d) Date of issue:

9(e) Place of issue:

9(f) Number:

9(g) Date of expiry:

9(h) Usual location of passport*:

For any passport you hold from another country, state all these details on a separate piece of paper.

**For example, at your home or at the home of another person.*

[If your passport is with another person, eg a family member, please state their name and address.]

10 DETAILS OF SENTENCE BEING SERVED

10(a) Offence(s) for which the suspended sentence is being served:

10(b) Time spent in prison or institution before being released on suspended sentence:

10(c) Date when sentence was imposed: / /

10(d) Date when sentence commenced (if different from date sentenced imposed): / /

10(e) Date when sentence expires: / /

10(f) Date of release on suspended sentence: / /

10(g) If the sentence details provided above were determined as a result of an appeal, state the following:

- the date you were originally sentenced: / /
- the date of decision of appeal court: / /

10(h) State each known pending or possible future appeal against the conviction or sentence being served, including if it is an appeal by you or the prosecution.

10(i) State any other known current legal proceeding (including any civil proceeding) relating to your conviction or sentence, or otherwise involving you eg as a witness.

10(j) State any known condition of your suspended sentence

11 OUTSTANDING CRIMINAL CHARGES

State any known criminal charges against you under the laws of another country that have not yet been dealt with by a court.

12 EXTRADITION PROCEEDINGS

[Part 2 of the International Transfer of Prisoners Act 1997 sets out when a prisoner may be transferred between Australia and a transfer country. One reason a prisoner may not be transferred to or from Australia is if the transfer would be likely to prevent the surrender of the prisoner to an extradition country that has requested, or is reasonably likely to request, the prisoner's extradition — see Section 10 of the Act.]

State any known proceedings for your extradition.

13 TRANSFER COUNTRY

State the area or region (if any) of the country to which you wish to be transferred and the reasons for wishing to be transferred to that area or region.

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14 COMMUNITY TIES TO THE TRANSFER COUNTRY

[You may be considered to have community ties with the transfer country if:

- (a) your principal place of residence immediately before being sentenced to imprisonment in Australia was in the transfer country; or
- (b) a close family member* of yours has a principal place of residence in the transfer country; or
- (c) you have a close continuing relationship (involving frequent personal contact and a personal interest in the other person's welfare) with anyone whose principal place of residence is in the transfer country.]

*Note: **Close family member** is defined in the International Transfer of Prisoners Act 1997.

State your residential, family or personal ties, or other community ties, with the transfer country.

Residential ties

For residential ties — state the address where you last lived in the transfer country and approximately when, and for how long, you lived there.

| Address where you last lived in the transfer country | When, and for how long (approximately) |
|--|--|
| | |

Family or personal ties

For family or personal ties — state for each person his or her name, address, relationship to you, length of time known, phone number(s) and email address, method and frequency of contact, and approximate last contact date.

[Please only provide contact details of people if you have obtained their agreement. Government authorities of Australia or the transfer country may contact them when considering your application for transfer.]

| | |
|-----------------------------------|--|
| Name | |
| Address | |
| Relationship | |
| Length of time known | |
| Phone number(s) | |
| Email address | |
| Method and frequency of contact | |
| Last contact date (approximately) | |

14 COMMUNITY TIES TO THE TRANSFER COUNTRY cont.

| | |
|--|--|
| Name | |
| Address | |
| Relationship | |
| Length of time known | |
| Phone number(s) | |
| Email address | |
| Method and frequency of contact | |
| Last contact date (approximately) | |

| | |
|--|--|
| Name | |
| Address | |
| Relationship | |
| Length of time known | |
| Phone number(s) | |
| Email address | |
| Method and frequency of contact | |
| Last contact date (approximately) | |

| | |
|--|--|
| Name | |
| Address | |
| Relationship | |
| Length of time known | |
| Phone number(s) | |
| Email address | |
| Method and frequency of contact | |
| Last contact date (approximately) | |

14 COMMUNITY TIES TO THE TRANSFER COUNTRY cont.

Other community ties

You may also state any other community ties you have that you believe may assist your application.

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15 COMMUNITY TIES WITH AUSTRALIA

State your community ties (if any) with Australia.

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16 LANGUAGES

State the languages you speak and estimated level of proficiency eg basic, average, fluent.

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17 SIGNING THE APPLICATION

[To avoid delay in the processing of this application, please do the following:

- (a) Check you have answered all the questions you need to answer.
- (b) If you are the applicant — sign and date the form as the applicant.
- (c) If you are a prisoner's representative filling in the form for a prisoner — include your name and the prisoner's name where requested, and sign it as the prisoner's representative.]

Signature of applicant:



Date:

/ /

or

Signed by

[name of prisoner's representative]

for the prisoner

[name of prisoner]

as *his/*her representative with *his/*her consent.

Signature of prisoner's representative:



Date:

/ /

*delete (eg cross out) if not applicable

18 RETURNING THE APPLICATION

[Complete Form G: Collection, Use and Disclosure of Personal Information, and return it with this form to the address specified below.]

Return forms to:

International Transfer of Prisoners Unit
International Crime Cooperation Division
Attorney-General's Department
3-5 National Circuit
BARTON ACT 2600
AUSTRALIA