

Western Australia

**Prisoners (Interstate Transfer) Amendment
Act 2009**

As at 17 Apr 2009

No. 1 of 2009

Extract from www.slp.wa.gov.au, see that website for further information

Western Australia

Prisoners (Interstate Transfer) Amendment Act 2009

CONTENTS

1.	Short title	1
2.	Commencement	1
3.	Act amended	2
4.	Part II heading replaced	2
	Part II — Transfer at request of prisoner	
5.	Section 5 amended	2
6.	Section 9A inserted	2
	9A. Matters to which the Minister may have regard	3
7.	Section 9 amended	3
8.	Section 21 amended	3



Western Australia

Prisoners (Interstate Transfer) Amendment Act 2009

No. 1 of 2009

An Act to amend the *Prisoners (Interstate Transfer) Act 1983*.

[Assented to 17 April 2009]

The Parliament of Western Australia enacts as follows:

1. Short title

This is the *Prisoners (Interstate Transfer) Amendment Act 2009*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

3. Act amended

This Act amends the *Prisoners (Interstate Transfer) Act 1983*.

4. Part II heading replaced

Delete the heading to Part II and insert:

Part II — Transfer at request of prisoner

5. Section 5 amended

- (1) In section 5(1)(b) delete “Territory in the interests of the welfare of the prisoner,” and insert:

Territory,

- (2) In section 5(3)(b) delete “State in the interests of the welfare of the prisoner,” and insert:

State,

- (3) In section 5(5)(b) delete “Territory in the interests of the welfare of the prisoner,” and insert:

Territory,

6. Section 9A inserted

After section 8 insert:

9A. Matters to which the Minister may have regard

In forming an opinion or exercising a discretion under this Part, the Minister may have regard to any one or more of the following —

- (a) the welfare of the prisoner or person concerned;
- (b) the administration of justice in this or any other State;
- (c) the security and good order of any prison in this or any other State;
- (d) the safe custody of the prisoner or person concerned;
- (e) the protection of the community in this or any other State;
- (f) any other matter the Minister considers relevant.

7. Section 9 amended

In section 9(1) delete “may have regard to reports” and insert:

by reference to reports

8. Section 21 amended

- (1) In section 21(1)(a) delete “that it is in the interests of the welfare of the person”.
- (2) After section 21(1) insert:
 - (2A) In forming an opinion or exercising a discretion under this Part, the Minister may have regard to any one or more of the following —
 - (a) the welfare of the person concerned;

- (b) the administration of justice in this or any other State;
- (c) the security and good order of any prison in this or any other State;
- (d) the safe custody of the person concerned;
- (e) the protection of the community in this or any other State;
- (f) any other matter the Minister considers relevant.

=====