
JUSTICE

JM301*

Prisons Act 1981

Prisons Amendment Regulations (No. 2) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Prisons Amendment Regulations (No. 2) 2001*.

2. The regulations amended

The amendments in these regulations are to the *Prisons Regulations 1982**.
[* Reprinted as at 9 March 2001.]

3. Regulation 2 amended

After the definition of “contact visit” the following definition is inserted —

“

“**contract worker**” means a contract worker as defined in section 15A of the Act;

”.

4. Regulation 2A inserted

After regulation 2 the following regulation is inserted in Part I —

“

2A. Certain regulations not applicable to contract workers

A reference to a prison officer or any other officer in a provision of these regulations that is specified in the Table to this regulation does not include a reference to a contract worker.

Table

r. 3	r. 7	r. 23
r. 4	r. 9(1)	r. 24
r. 5	r. 9(5)	r. 25
r. 6	r. 9(6)	Part IV

”.

5. Regulation 26C amended

Regulation 26C(1)(b) is amended by deleting “a prison medical officer,”.

6. Regulation 26F amended

Regulation 26F is amended by deleting “the prison medical officer or”.

7. Regulation 38 amended

Regulation 38(2) is amended by deleting “the prison medical officer or the” and inserting instead —

“ a ”.

8. Regulation 49 replaced

Regulation 49 is repealed and the following regulation is inserted instead —

“

49. Deductions for damage etc. to property of Government or contractor

- (1) If property has been damaged, destroyed or lost because of an act or omission on the part of a prisoner the chief executive officer may order a deduction from the gratuities or other moneys credited to the prisoner to defray the costs of replacement or repair of the property.

(2) In this regulation —

“**property**” —

- (a) if prisons services in relation to a prison are being provided under a contract, means either —
 - (i) property of the State of Western Australia; or
 - (ii) property of the contractor;
 and
- (b) in any other case, means property of the State of Western Australia.

”.

9. Regulation 54A replaced

Regulation 54A is repealed and the following regulation is inserted instead —

“

54A. Prescribed prisons in relation to visitors to prisoners

The prisons that are specified in the Table to this regulation are prescribed for the purposes of section 60 of the Act.

Table

Acacia Prison	Hakea Prison
Albany Regional Prison	Karnet Prison Farm
Bandyup Women’s Prison	Nyandi Women’s Prison
Broome Regional Prison	Pardelup Prison Farm
Bunbury Regional Prison	Riverbank Prison
Casuarina Prison	Roebourne Regional Prison
Eastern Goldfields Regional Prison	Wooroloo Prison Farm
Greenough Regional Prison	

”.

10. Regulation 54B repealed

Regulation 54B is repealed.

11. Regulation 62 amended

Regulation 62 is amended by deleting “the prison medical officer or the” and inserting instead —

“ a ”.

12. Regulation 74 replaced

Regulation 74 is repealed and the following regulation is inserted instead —

“

74. Procedure on death of prisoner

- (1) Upon the death of a prisoner, the Superintendent shall ensure that a medical officer records —
 - (a) the time of death and the time of certification of death;
 - (b) the nature of illness or other apparent cause of death;
 - (c) the progression of any illness suffered by the prisoner; and
 - (d) any other remarks that the medical officer considers necessary.
- (2) The medical officer shall, as soon as practicable after recording the matters under subregulation (1), send a copy of the record to the chief executive officer.

”.

13. Regulation 78 amended

Regulation 78(5) is amended by deleting “the prison medical officer or” and inserting instead —

“ a ”.

14. Regulation 81 amended

Regulation 81(1)(a) is amended by deleting “the prison medical officer or” and inserting instead —

“ a ”.

15. Regulation 85 replaced

Regulation 85 is repealed and the following regulation is inserted instead —

“

85. Responsibility for prisoners in lock-ups

- (1) If a prisoner is confined in a place prescribed as a lock-up for the purposes of the *Court Security and Custodial Services Act 1999*, the CEO as defined in that Act is responsible for the management and routine of the prisoner while the prisoner is confined in that place.
- (2) If a prisoner is confined in any other lock-up, the Commissioner of Police is responsible for the management and routine of the prisoner while the prisoner is confined in the lock-up.

”.

16. Regulation 85A amended

- (1) Regulation 85A(1) is repealed and the following subregulation is inserted instead —

“

- (1) A person shall not be permitted to enter a prison specified in the Table to this regulation unless —
- (a) an officer has stamped a visible part of the person's skin with an identification mark that is visible under ultraviolet light; or
 - (b) an officer has applied an identification band to the person's wrist.

”.

- (2) Regulation 85A(3) is amended by deleting “the identification mark” and inserting instead —

“ or removing the identification mark or band ”.

- (3) Regulation 85A is amended in the Table to the regulation by inserting the following item —

“ Acacia Prison ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.