



WESTERN  
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**SENTENCE ADMINISTRATION ACT 1995**

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**SENTENCE ADMINISTRATION  
REGULATIONS 1996**

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**SENTENCING ACT 1995**

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**SENTENCING RULES 1996  
SENTENCING REGULATIONS 1996**

WESTERN AUSTRALIA

**SENTENCE ADMINISTRATION  
REGULATIONS 1996**

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ARRANGEMENT

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SENTENCE ADMINISTRATION ACT 1995  
**SENTENCE ADMINISTRATION REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

**PART 1 — PRELIMINARY**

**Citation**

1. These regulations may be cited as the *Sentence Administration Regulations 1996*.

**Commencement**

2. These regulations come into operation on the day on which the *Sentence Administration Act 1995* comes into operation.

**Interpretation**

3. (1) In these regulations, unless the contrary intention appears —

“**centre**” means a community corrections centre;

“**community service**” means —

(a) community work as defined in section 4 of the *Sentencing Act 1995*; or

(b) community corrections activities;

“**supervisor**” means a supervisor of a centre under section 87 of the Act.

(2) The abbreviations used in these regulations are the same as those used in the Act.

**PART 2 — PAROLE****Board to be notified about prisoner on parole term**

4. (1) If a prisoner is sentenced to a parole term, the CEO must, within 28 days after the date when the sentence was imposed, notify the secretary of the Board in writing —

(a) of the details of the prisoner and the sentence; and

(b) of the date on which it is expected that the prisoner will be eligible to be released on parole under the *Sentencing Act 1995*.

(2) If after notification has been given under subregulation (1) the date referred to in subregulation (1) (b) changes, the CEO must notify the secretary of the Board accordingly as soon as practicable in writing.

(3) If practicable notice under subregulation (2) must be given at least 6 weeks before the expected release date.

**PART 3 — WORK RELEASE ORDER****Prescribed hours of community corrections activities (s. 51)**

**5.** (1) For the purposes of section 51 (a) of the Act the prescribed number of hours of community corrections activities is —

- (a) in the case of an offender engaged full-time in gainful employment, vocational training or gratuitous work — 6 hours; and
- (b) in the case of an offender not so engaged —
  - (i) for each of the first 2 periods of 7 days when the offender is subject to the order — 6 hours; and
  - (ii) for each subsequent period of 7 days when the offender is subject to the order — the number of hours, being at least 12 and not more than 18, determined by the CEO having regard to the extent to which the offender is engaged in part-time gainful employment, vocational training or gratuitous work.

(2) The CEO may determine any question in relation to the extent to which an offender is engaged full-time or otherwise.

(3) A determination by the CEO under subregulation (2) is final.

**PART 4 — HOME DETENTION ORDER****Prescribed hours of community corrections activities (s. 61)**

**6.** (1) For the purposes of section 61 (1) (b) the prescribed number of hours of community corrections activities is —

- (a) in the case of an offender engaged full-time in gainful employment or vocational training — 6 hours; and
- (b) in the case of an offender not so engaged — 12 hours.

(2) The CEO may determine any question in relation to the extent to which an offender is engaged full-time or otherwise.

(3) A determination by the CEO under subregulation (2) is final.

**PART 5 — PROVISIONS APPLICABLE TO OFFENDERS ON  
COMMUNITY ORDERS, EARLY RELEASE ORDERS OR  
WORK AND DEVELOPMENT ORDERS**

**Prescribed obligations of offenders (s. 76)**

7. (1) For the purpose of section 76 (2) (c) (vi) of the Act, the prescribed obligations are those in this regulation.

(2) An offender doing community service or performing any requirement of a programme requirement under a community order —

- (a) must conform to reasonable standards of dress (including footwear), cleanliness, and conduct, as required by a CCO;
- (b) must wear safety clothing or equipment issued;
- (c) must maintain in good order and condition, clothing, tools, and equipment issued to the offender and must return such articles when required to do so by a CCO;
- (d) must not wilfully damage —
  - (i) any article issued for the purposes of doing the community service or performing the requirement;
  - (ii) any property on, or in relation to which, the offender is required to perform community service unless it is necessary for the community service;
- (e) must not make or receive a telephone call except with the permission of a CCO;
- (f) must not receive a visitor except with the permission of a CCO;
- (g) must not take an unauthorized break;
- (h) must not leave the place where the offender is required to be before completing the duties that have been assigned to the offender at that place except with the permission of a CCO;
- (i) must use any transport to or from a place where the offender is directed to be for the purposes of performing community service that is provided by the department;
- (j) if unable to attend —
  - (i) must immediately notify a CCO supervising the community service or the performance of the requirement; and



- (ii) if the inability to attend is due to sickness, within 72 hours after the time when the offender was required to attend or as otherwise directed by a CCO — must supply a CCO with a certificate signed by a medical practitioner (as defined in the *Medical Act 1894*) certifying the inability to attend.

**Authorized absences from community service etc.**

8. If a CCO supervising an offender doing community service or performing any requirement of a programme requirement under a community order is satisfied that —

- (a) the offender has been injured or has become sick while doing community service or performing the requirement; or
- (b) there is good reason for doing so,

the CCO may authorize the offender to be absent from doing the community service or performing the requirement on any day or part of any day.

**Offender may be directed to cease doing community service etc.**

9. (1) If a CCO supervising an offender doing community service or performing any requirement of a programme requirement under a community order is satisfied that the offender has contravened section 76 of the Act, the CCO may direct the offender to immediately cease doing the community service or performing the requirement.

(2) An offender given such a direction must not resume doing the community service or performing the requirement unless and until authorized to do so by a CCO.

**Calculations of time**

10. (1) These periods count as periods of community service done by an offender:

- (a) the period of any break authorized by a CCO;
- (b) the period of any absence authorized under regulation 8 (a);
- (c) if the offender attends to do community service in accordance with directions to do so and a CCO does not attend within one hour of the time when the offender was directed to attend and no alternative arrangements are made — the period of community service that the offender was to have done on that day;

- (d) any period of over one hour a day reasonably spent by an offender in travelling to or from a place where the offender is required to attend to do community service.

(2) Any period not worked because of sickness, other than any period authorized under regulation 8 (a), does not count as a period of community service done by an offender.

(3) The period of any absence directed under regulation 9 does not count as a period of community service done by an offender unless a supervisor, having considered the reason for the direction, orders otherwise.

#### **Samples of breath etc. from offenders**

**11.** (1) A supervisor acting under section 76 (2) (c) (ii) of the Act may direct an offender to give a sample of the offender's breath, blood, saliva, or urine.

(2) The supervisor may direct the offender —

- (a) to attend at a specified place for the purpose of giving the sample;
- (b) to give the sample to a specified person.

(3) A breath test must be conducted by means of an apparatus of a kind approved by the CEO.

(4) A sample of blood, saliva or urine must be labelled with —

- (a) the name of the offender;
- (b) the type of the sample;
- (c) the name of the person who obtained the sample; and
- (d) the date and time that the sample was obtained,

and must be analysed by such person as the supervisor directs.

(5) The person who analyses the sample must make a certificate of the results and forward it to the supervisor.

(6) The certificate is admissible in any proceedings as *prima facie* evidence of the matters certified in it.

**PART 6 — COMMUNITY CORRECTIONS CENTRES*****Division 1 — Searches and seizure*****Application**

**12.** This division applies to searches and seizures under sections 90 and 91 of the Act.

**Prescribed persons**

**13.** For the purposes of sections 90 and 91 of the Act these persons are prescribed persons:

- (a) a supervisor;
- (b) a CCO;
- (c) a prison officer as defined in the *Prisons Act 1981*;
- (d) a person licensed under the *Security Agents Act 1976*.

**Obligations of a supervisor before a person is searched**

**14.** Before ordering a person to be searched under section 90 of the Act, a supervisor must —

- (a) inform the person of the provisions of section 90;
- (b) ask the person whether there is anything in the person's possession or under the person's control that may jeopardize the security or good order of the centre or the safety of persons in it and to produce any such thing;
- (c) give the person an opportunity to respond; and
- (d) make a record of any response by the person.

**Witness may be present**

**15.** (1) A person who is about to be searched may request that any person of the same sex, other than a person who is known to have a criminal record, who is then at the centre be present during the search.

(2) If the search of a person will involve the removal of the person's clothing the searcher may arrange for another person of the same sex as the person to be present during the search.

**Attendance of medical practitioner**

**16.** The supervisor may arrange for a registered medical practitioner to be present during the search of a person.

**Search of a person to be by a person of the same sex**

**17.** A search of a person must be conducted by a searcher of the same sex as the person.

**Requirements for conduct of search**

**18.** A searcher conducting a search of a person —

- (a) must inform the person of the person's right under regulation 15(1) and comply with the request made where that right is exercised;
- (b) must conduct the search expeditiously and with regard to the person's decency and self-respect;
- (c) must not remove any of the person's clothing unless ordered to do so by the supervisor and, in such a case, the searcher must forward a written report of the search to the supervisor; and
- (d) must not, subject to regulations 15 to 17, remove any of the person's clothing in the presence or sight of a person of the opposite sex or, unless unavoidable, of a person of the same sex.

**Examination of things**

**19.** A searcher conducting a search of anything in a person's possession or under a person's control must do so expeditiously and in the presence of the person.

**Procedure where a thing is seized**

**20.** If anything is seized under section 91 of the Act the supervisor of the centre must examine it and notify the CEO who must direct as to how the thing is to be dealt with.

***Division 2 — Miscellaneous*****Disposal of abandoned property**

**21.** (1) Property left at a centre and uncollected, abandoned, or unclaimed for 6 months may by order of the CEO be —

- (a) sold at a public auction;
- (b) given to an association incorporated under the *Associations Incorporation Act 1987*; or
- (c) destroyed or otherwise disposed of.

(2) The CEO must on at least one occasion before a public auction is conducted under subregulation (1) cause a notice to be published in the *Government Gazette* describing the property to be offered for sale and giving the time, date and place of the auction.

(3) The net proceeds of an auction sale conducted under this regulation must be credited to the Consolidated Fund.

**PART 7 — STAFF****Officers etc. not to benefit from work**

**22.** (1) A member of the departmental staff must not arrange or supervise the doing of any community service by an offender from which the officer would benefit personally, other than generally as a member of the community or as a member of a group within the community.

(2) A member of the departmental staff must declare to the supervisor of a centre any conflict of interest that may arise from the member supervising the doing of community service by an offender.

(3) If a member of the departmental staff declares a conflict of interest to a supervisor, the supervisor may appoint another person to supervise the community service.

**PART 8 — MISCELLANEOUS****Form of warrant (s 72)**

**23.** (1) For the purpose of section 72 of the Act a warrant to have a prisoner arrested is to be in the form of, or substantially in the form of, Form 1 in Schedule 1.

(2) The person issuing the warrant is to ensure that there is attached to the warrant a list showing the charge or indictment number and a description of each offence to which the early release order referred to in the warrant relates.

SCHEDULE 1 — FORMS

1. Warrant to have prisoner arrested

[reg 23]

WESTERN AUSTRALIA Sentence Administration Act 1995, s 72 <b>ARREST WARRANT</b>	CWI Warrant No.
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<b>Command</b>	<b>To: All police officers. This warrant authorizes and commands you to arrest this prisoner and to take the prisoner to the nearest prison in Western Australia.</b>
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<b>Prisoner's details</b>	Name:	Date of birth:
	Address:	

<b>Reason for issue of warrant</b>	<input type="checkbox"/> Parole order suspended <input type="checkbox"/> Parole order cancelled <input type="checkbox"/> Work release order suspended <input type="checkbox"/> Work release order cancelled <input type="checkbox"/> Home detention order suspended <input type="checkbox"/> Home detention order cancelled
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<b>Details of early release order</b>	Date of order:	Date of release:
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<b>Warrant issued by</b>	Signature(s):		
	Name(s):		
	Official title(s):		
	Date:		

<b>Execution details</b>	Prisoner arrested on ... / ... / ... at ..... hours at: by: _____ Regimental No: of: _____ police station/division Signature: _____ Date: _____
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By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.





SENTENCING ACT 1995  
**SENTENCING RULES 1996**

Made by the Judges of the Supreme Court.

**Citation**

1. These rules may be cited as the *Sentencing Rules 1996*.

**Commencement**

2. These rules come into operation on the day on which the *Sentencing Act 1995* comes into operation.

**Interpretation**

3. (1) In these rules, unless the contrary intention appears —  
    “**Court**” means the Supreme Court.  
(2) The abbreviations used in these rules are the same as those used in the Act.

**Pending charges**

4. (1) A request by an offender under section 32 (1) of the Act is to be in a form approved by the CEO.  
(2) The request must be filed with the Court at least 14 days prior to the date when the offender is to be sentenced by the Court.  
(3) The Court will give a copy of the request —
  - (a) to any court of petty sessions or Children’s Court (the “**lower court**”) in which the offender has indicated there are pending charges against the offender; and
  - (b) to the DPP.
- (4) The clerk of the lower court is to give —
  - (a) the original complaints that relate to pending charges against the offender in that lower court to the Court; and
  - (b) a copy of those complaints to the DPP.
- (5) The DPP is to prepare a list of those pending charges against the offender that the Crown will consent to being dealt with by the Court and is to give a copy of the list and a copy of the complaints that relate to the listed pending charges to the offender or the offender’s lawyer.

- (6) The offender must indicate on the list of pending charges —
- (a) to which of the listed pending charges of which the offender has not previously been convicted the offender will plead guilty; and
  - (b) for which of the listed pending charges the offender wants the Court to pass sentence for,

and must sign the list and return it to the DPP.

(7) The DPP is to file the signed list of pending charges with the Court.

(8) When the signed list of pending charges is filed the clerk of arraigns is to immediately send back to the lower court concerned the original complaint of any charge against an offender that is not listed or that will not be dealt with by the court by reason of the offender's intentions.

(9) After the Court has sentenced the offender, the clerk of arraigns is to —

- (a) notify each lower court of any pending charge in that court that was dealt with by the Court and of the sentence imposed on the offender for the charge; and
- (b) send back to each lower court the original complaint relating to any pending charge in that court that was not dealt with by the Court.

Dated: 28 June 1996.

Judges' signatures:

Chief Justice Malcolm

Justice Walsh

Justice Kennedy

Justice Anderson

Justice Rowland

Justice Owen

Justice Franklyn

Justice White

Justice Ipp

Justice Heenan

Justice Murray

Justice Steytler

WESTERN AUSTRALIA

**SENTENCING REGULATIONS 1996**

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ARRANGEMENT

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**PART 3 — THE SENTENCING PROCESS**

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12. Service
13. Forms

**SCHEDULE 1 — FORMS**

SENTENCING ACT 1995  
**SENTENCING REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

**PART 1 — PRELIMINARY**

**Citation**

1. These regulations may be cited as the *Sentencing Regulations 1996*.

**Commencement**

2. These regulations come into operation on the day on which the *Sentencing Act 1995* comes into operation.

**Interpretation**

3. (1) In these regulations, unless the contrary intention appears —  
    **“approved”**, in relation to a form, means approved by the CEO;  
    **“court officer”** means —
  - (a) in a superior court — a clerk of arraigns or the manager of the criminal registry;
  - (b) in a court of petty sessions — a clerk of petty sessions;
  - (c) in the Children’s Court — a clerk of the court.
- (2) The abbreviations used in these regulations are the same as those used in the Act.

**PART 2 — MATTERS PRELIMINARY TO SENTENCING****Mediation (ss 27-30)**

4. (1) No person is to be compelled to attend or participate in any mediation or attempted mediation.

(2) When a mediator is mediating or attempting to mediate between an offender and a victim, the mediator must at all times act fairly and impartially.

(3) It is not necessary for the purposes of mediating or attempting to mediate between an offender and a victim that both such people be present at the same place at the same time.

**PART 3 — THE SENTENCING PROCESS****Correction of sentence (s 37)**

**5.** (1) An application under section 37 (2) of the Act must be in an approved form and may be made at any time.

(2) The application must be lodged with the court that imposed the sentence concerned.

(3) On receiving an application, or in a case where a court intends to exercise the powers in section 37 (1) of the Act on its own initiative, a court officer is to issue a summons (in an approved form) to all parties concerned to a hearing on a date and at a place fixed by the officer.

(4) The summons must be served —

- (a) if the court intends to exercise the powers in section 37 (1) of the Act on its own initiative — by a court officer on the offender and the prosecutor;
- (b) if the application is made by the offender — by a court officer on the prosecutor;
- (c) if the application is made by the prosecutor — by the prosecutor on the offender.

(5) If satisfied that all parties concerned have been served with a summons issued under this regulation, the court may, subject to section 14 of the Act, exercise the powers in section 37 (1) of the Act.

(6) The court hearing an application under section 37 of the Act by an offender or a prosecutor need not be constituted by the same judicial officer that constituted the court that imposed the sentence sought to be corrected.

**Imprisonment by justices: magistrate to review (s 38)**

**6.** (1) Immediately after a justice or justices in a court of petty sessions impose a sentence referred to in section 38 (1) of the Act, the clerk of the court is to send a magistrate the approved form for the review of the decision together with —

- (a) the papers that were before the justice or justices including —
  - (i) the complaint;
  - (ii) the statement of facts by the prosecutor, or a transcript of it;



- (iii) a copy of the offender's criminal record (if any) tendered to the court;
  - (iv) a pre-sentence report (if any);
  - and
  - (b) the written reasons for imposing the sentence.
- (2) The form for the review of the decision may relate to more than one charge.
- (3) The decision of the magistrate under section 38 of the Act is to be communicated as soon as practicable —
- (a) to the court that imposed the sentence;
  - (b) if the offender is not in custody, to the offender; and
  - (c) if the offender is in custody, to the person in charge of the place where the offender is in custody.
- (4) If under section 38 of the Act a magistrate cancels the original sentence —
- (a) if the offender is not in custody — the magistrate may exercise the powers in section 14 (5) of the Act in relation to the offender;
  - (b) if the offender is in custody — the person in charge of the place where the offender is in custody is to give effect to any order by the magistrate as to bail for, or the remand in custody of, the offender.

**PART 4 — ORDERS FORMING PART OF A SENTENCE**

**Application for return of passport (s 108)**

**7.** An application under section 108 (5) of the Act for the return of an Australian passport must be made in an approved form to a court officer of the court that ordered the passport to be surrendered.

**PART 5 — REPARATION ORDERS****Application for a reparation order (s 111)**

**8.** (1) An application to a court for a reparation order under Part 16 of the Act must be made —

- (a) orally during the relevant sentencing proceedings; or
- (b) in writing (in an approved form) during the relevant sentencing proceedings or within 12 months after the date when the offender was sentenced.

(2) On receiving a written application made after the date of sentencing a court officer is to issue a summons (in an approved form) to all parties concerned to a hearing on a date and at a place fixed by the officer.

(3) The summons must be served —

- (a) if the court intends to exercise the powers in Part 16 of the Act on its own initiative — by a court officer on the victim, the offender, a prosecutor and, if necessary, on any third party (as defined in section 120 (1) of the Act);
- (b) if the application is made by the victim — by a court officer on the offender, a prosecutor and, if necessary, on any third party (as defined in section 120 (1) of the Act);
- (c) if the application is made by the prosecutor — by a prosecutor on the victim, the offender and, if necessary, on any third party (as defined in section 120 (1) of the Act).

(4) If satisfied that all parties concerned have been served with a notice issued under this regulation, the court may proceed to deal with the application.

**Enforcing a restitution order (s 121)**

**9.** (1) An application under section 121 of the Act to a court is to be made in an approved form.

(2) On receiving an application a court officer is to issue a summons (in an approved form) to the person against whom the restitution order was made to a hearing on a date and at a place fixed by the officer.

(3) The summons must be served by a court officer on the person against whom the restitution order was made.

**PART 6 — AMENDING AND ENFORCING CONDITIONAL  
RELEASE ORDERS AND COMMUNITY ORDERS**

**Application to amend or cancel (s 126)**

**10.** (1) An application under section 126 of the Act is to be made in an approved form.

(2) An application may only be made by a CCO with the prior approval of the CEO.

(3) On receiving an application a court officer is to issue a summons (in an approved form) to all parties concerned to a hearing on a date and at a place fixed by the officer.

(4) The hearing date fixed by the court officer is to be at least 7 days after the date of the application.

(5) In the case of an application to amend or cancel a CRO, the summons must be served —

- (a) in the case of an application by the offender — by a court officer on the prosecutor; or
- (b) in the case of an application by a prosecutor — by the prosecutor on the offender.

(6) In the case of an application to amend or cancel a community order, the summons must be served —

- (a) in the case of an application by the offender — by a court officer on the CEO, and the prosecutor; or
- (b) in the case of an application by a CCO — by a CCO on the offender.

(7) If satisfied that all parties concerned have been served with a summons issued under this regulation, the court may, subject to section 14 of the Act, deal with the application under section 126 of the Act.

(8) In this regulation —

**“prosecutor”** means the DPP or a police prosecutor, as the case requires.

**CEO to be notified when court deals with offender on community order**

**11.** If under section 127, 130, 132 or 133 of the Act a court deals with an offender in relation to a community order, a court officer is to notify the CEO of any orders made by the court.

**PART 7 — MISCELLANEOUS****Service**

**12.** For the purposes of the Act and these regulations a summons may be served —

- (a) on an offender by serving it on the offender personally or by sending it by pre-paid post to the offender's last known address;
- (b) on a prosecutor by causing it to be delivered to the prosecutor's office;
- (c) on the CEO by causing it to be delivered to the CEO's office;
- (d) on any other person by serving it on the person personally or by sending it by pre-paid post to the person's last known address.

**Forms**

**13.** (1) Subject to this regulation the prescribed forms for the purposes of the Act are those in the Table to this regulation.

(2) The prescribed form for an arrest warrant for the purposes of sections 14, 50, 79 and 129 of the Act is Form 12 in the Schedule to the *Justices (Forms) Regulations 1982*.

(3) The prescribed form for a remand warrant for the purposes of section 17 of the Act is Form 13 in the Schedule to the *Justices (Forms) Regulations 1982*.

(4) The prescribed form for a warrant of committal to another court for the purposes of sections 78, 128 and 132 of the Act is Form 14 in the Schedule to the *Justices (Forms) Regulations 1982*.

(5) It is sufficient compliance with the Act if a form substantially in compliance with a prescribed form is used.

TABLE

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Section of the Act	Description of form	Form No in Schedule 1
36	Warrant of commitment	1
58	Warrant of commitment until fine is paid	2
59	Warrant of commitment for not paying a fine	3
134	Certificate of breach of community order	4

## SCHEDULE 1 — FORMS

[reg 13]

## 1. Warrant of commitment

WESTERN AUSTRALIA Sentencing Act 1995, s 36		<input type="checkbox"/> Supreme Court <input type="checkbox"/> District Court <input type="checkbox"/> Court of Petty Sessions <input type="checkbox"/> Children's Court At:			
<b>WARRANT OF COMMITMENT</b>					
<b>To</b>	<b>All police officers Chief executive officer under the <i>Prisons Act 1981</i>.</b>				
<b>Offender</b>	Name:			Date of birth:	
<b>Reason for issue of warrant</b>	<b>The offender has been sentenced to be imprisoned. This warrant authorizes and commands you to imprison the offender for the term stated below, subject to the <i>Sentencing Act 1995</i> and the <i>Sentence Administration Act 1995</i>.</b>				
<b>Command</b>					
<b>Offences and sentences</b>	Charge Indict No	Date of offence	Description of offence	Term imposed	Cumulative Concurrent
<b>Date of sentence</b>			<b>Date when term is to be taken to have begun</b>		
<b>Total term</b>			<b>Eligible for parole</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Other orders</b>	Young adult detention direction		<input type="checkbox"/> Yes <input type="checkbox"/> No		
	If life term imposed, minimum period:				
	Indefinite imprisonment		<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>Sentence imposed by</b>	Name of Judicial Officer:			Date:	
<b>Warrant issued by</b>	Signature: Judicial Officer/Clerk of Arraigns				

**2. Warrant of commitment until fine is paid**

WESTERN AUSTRALIA Sentencing Act 1995, s 58  <b>WARRANT OF COMMITMENT                  UNTIL FINE IS PAID</b>	<input type="checkbox"/> Supreme Court <input type="checkbox"/> District Court <input type="checkbox"/> Court of Petty Sessions <input type="checkbox"/> Children's Court  At:
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<b>To</b>	<b>All police officers Chief executive officer under the <i>Prisons Act 1981</i>.</b>
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<b>Offender</b>	Name:	Date of birth:
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<b>Reason for issue of warrant</b>	The offender has been convicted of the offence(s) below and has been fined the amount(s), and ordered to pay the costs, set out below. In addition, under section 58 of the <i>Sentencing Act 1995</i> , this court ordered that the offender be imprisoned until the total of those amounts is paid, but in any event for not longer than the maximum period stated below.
<b>Command</b>	This warrant authorizes and commands you to take the offender into custody and to imprison the offender in accordance with the above order, unless the amount outstanding is sooner paid.

Offences	Charge/ Indict No	Date of offence	Description of offence	Fine	Costs	Period of Imp'ment
Sub-totals						

<b>Date of sentence</b>		<b>Maximum period of imprisonment</b>	
		<input type="checkbox"/> Cumulative <input type="checkbox"/> Concurrent	

<b>Amount outstanding</b>	Total amount to be paid (fines + costs)	\$
	Less any amount paid	- \$
	Amount outstanding	=\$
	Revenue: \$	Trust: \$

<b>Warrant issued by</b>	Signature: Judicial Officer/Clerk of Arraigns	Date:
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**Note: The offender must either pay the amount outstanding in full or serve the maximum period of imprisonment in full. Reductions of the maximum period due to part payment are not permitted.**



**3. Warrant of commitment for not paying a fine**

WESTERN AUSTRALIA Sentencing Act 1995, s 59		<input type="checkbox"/> Supreme Court <input type="checkbox"/> District Court At:			
<b>WARRANT OF COMMITMENT FOR NOT PAYING A FINE</b>		CWI Warrant No.			
<b>To</b>	<b>All police officers Chief executive officer under the <i>Prisons Act 1981</i>.</b>				
<b>Offender</b>	Name:			Date of birth:	
	Address:				
<b>Reason for issue of warrant</b>	The offender has been convicted of the offence(s) below and has been fined the amount(s) set out below. In addition, under section 59 of the <i>Sentencing Act 1995</i> , this court ordered that if the offender did not pay the fine by the date set for payment stated below the offender was to be imprisoned.				
<b>Command</b>	The offender has not paid the fine as ordered. This warrant authorizes and commands you to arrest the offender and to imprison the offender in accordance with the above order and section 59 of the <i>Sentencing Act 1995</i> .				
<b>Offences</b>	Charge Indict No	Date of offence	Description of offence	Fine	Period of imprisonment
<b>Amount outstanding*</b>	Total fines			\$	
	Less any amount paid			-\$	
	Amount outstanding			=\$	
	Revenue: \$			Trust: \$	
<b>Date of sentence</b>		<b>Date set for payment</b>			
<b>Period of imprisonment †</b>	<input type="checkbox"/> Set by this court				days
	<input type="checkbox"/> Determined under s 59 (3)				
	<input type="checkbox"/> Cumulative		<input type="checkbox"/> Concurrent		
<b>Warrant issued by</b>	Signature: Name: Official title:			Date:	



#### 4. Certificate of breach of community order

WESTERN AUSTRALIA Sentencing Act 1995, s 134		
<b>CERTIFICATE OF BREACH OF COMMUNITY ORDER</b>		
<b>Offender</b>	Name: _____	Date of birth: _____
	Address: _____	
<b>Community order details</b>	Kind of order: <input type="checkbox"/> CBO <input type="checkbox"/> ISO	
	Date community order imposed	_____
	Term of order	_____
	Order imposed by: _____ court at: _____	
<b>Particulars of alleged breach of order</b>	_____	
<b>Certificate</b>	I certify that the contents of this certificate are true.  Signed: Official position:	

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.



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