



Western Australia

Sentencing Amendment Act 2015

As at 02 Nov 2015

No. 32 of 2015

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Sentencing Amendment Act 2015

Contents

1.	Short title	2
2.	Commencement	2
3.	Act amended	2
4.	Section 85 amended	2
5.	Section 93 amended	3
6.	Section 94A inserted	3
	94A. Release on parole of prisoners subject to <i>Prisoners (Interstate Transfer) Act 1983</i>	3



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Sentencing Amendment Act 2015

No. 32 of 2015

An Act to amend the *Sentencing Act 1995*.

[Assented to 2 November 2015]

The Parliament of Western Australia enacts as follows:

1. Short title

This is the *Sentencing Amendment Act 2015*.

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 *Sentencing Act 1995*.

4. Section 85 amended

- (1) In section 85(1) delete the definition of *parole term*.
- (2) In section 85(1) insert in alphabetical order:

parole term means —

- (a) a term to which a parole eligibility order applies; or
- (b) a translated sentence in respect of which a minimum term of imprisonment is deemed to have been fixed under the *Prisoners (Interstate Transfer) Act 1983* section 26(1);

translated sentence has the meaning given in the *Prisoners (Interstate Transfer) Act 1983* section 3(1).

- (3) In section 85(1) in the definition of *term* paragraph (b) delete “imprisonment.” and insert:

imprisonment;

5. Section 93 amended

In section 93(1) delete “ sections” and insert:

sections 94A,

6. Section 94A inserted

After section 93 insert:

94A. Release on parole of prisoners subject to *Prisoners (Interstate Transfer) Act 1983*

- (1) Despite section 93(1), a prisoner serving a parole term that is a translated sentence is eligible to be released on parole when the prisoner has served the minimum term of imprisonment deemed under the *Prisoners (Interstate Transfer) Act 1983* section 26(1) to have been fixed in respect of the sentence.
- (2) For the purposes of the application of the *Sentence Administration Act 2003* to the prisoner, a reference in that Act to eligibility to be released on parole under section 93(1) is to be taken to be a reference to eligibility to be released on parole under subsection (1).

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