Western Australia

Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009

Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011

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Western Australia

Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009

Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011

##### 1. Citation

These regulations are the *Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011*.

##### 2. Commencement

These regulations come into operation on the day on which the *Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009* section 31 comes into operation.

##### 3. Term used: Act

In these regulations, unless the contrary intention appears —

Act means the *Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009*.

##### 4. Participating jurisdictions (Act s. 8(3))

For the purposes of section 8(3) of the Act, these jurisdictions are declared to be participating jurisdictions —

(a) New South Wales;

(b) the Australian Capital Territory;

(c) Tasmania;

(d) Victoria.

[Regulation 4 amended: Gazette 2 Dec 2016 p. 5384.]

##### 5. Registered interstate sentences — required details (Act s. 22)

For the purposes of section 22 of the Act, these are prescribed to be the required details of an interstate sentence —

(a) the following details of the offender —

(i) his or her names (given and surname);

(ii) his or her aliases (if any);

(iii) his or her date of birth;

(iv) his or her criminal convictions for offences under the law of this State, the Commonwealth, another State or a Territory;

(b) the following details of the interstate sentence —

(i) the name or kind of the sentence;

(ii) the name or kind of the corresponding community based sentence under the law of this jurisdiction;

(iii) the length of the sentence (including, if the sentence consists of more than one part, the length of each part of the sentence);

(iv) the start date of the sentence;

(v) the date when the offender first reported for the sentence in the participating jurisdiction;

(vi) the remaining period of the sentence to be served in Western Australia;

(vii) any condition to which the sentence is subject;

(viii) details of any appeal against the sentence;

(ix) details of any previous registration of the sentence in another participating jurisdiction;

(x) the prosecution notice or indictment in relation to each offence for which the sentence was imposed;

(xi) the written statement of material facts of the charge for each offence for which the sentence was imposed;

(xii) any sentencing remarks made by the Court when imposing the sentence.

Notes

1 This is a compilation of the *Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

| **Citation** | **Gazettal** | **Commencement** |
| --- | --- | --- |
| *Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011* | 23 Sep 2011 p. 3812‑14 | 1 Oct 2011 (see r. 2 and *Gazette* 23 Sep 2011 p. 3811) |
| *Sentence Administration (Interstate Transfer of Community Based Sentences) Amendment Regulations 2016* | 2 Dec 2016 p. 5384 | r. 1 and 2: 2 Dec 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 3 Dec 2016 (see r. 2(b)) |

Defined terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

**Defined term Provision(s)**

Act 3