

Western Australia

**Young Offenders (Mandatory Sentencing)
Amendment Bill 2002**

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LEGISLATIVE COUNCIL

(Introduced by Hon John Fischer MLC)

**Young Offenders (Mandatory Sentencing)
Amendment Bill 2002**

A Bill for

An Act to amend —

- **Section 401 of the *Criminal Code***
- **Section 46(5a) of the *Young Offenders Act 1994***

The Parliament of Western Australia enacts as follows:

1. Short title

This Act may be cited as the *Young Offenders (Mandatory Sentencing) Amendment Act 2002*.

2. Purpose of this Act

5 The purpose of this Act is to place beyond any doubt the original intent of section 401(4) of the *Criminal Code* that repeat offenders without exception, and regardless of their ages or circumstances, are to be sentenced to a term of imprisonment or detention.

3. Criminal Code amended

10 Section 401(4) of the *Criminal Code* is amended by deleting in paragraph (b) the words “notwithstanding section 46(5a) of that Act.”.

4. Young Offenders Act amended

Section 46(5a) of the *Young Offenders Act 1994* is amended by inserting after “enactment,” the words “except section 401(4)(b) of the *Criminal Code*,”.

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