



ANNO TRICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1983

No. 68 of 1983

An Act to amend the Prisons Act, 1936.

[Assented to 13 October 1983]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Prisons Act Amendment Act, 1983". Short title.

(2) The Prisons Act, 1936, is in this Act referred to as "the principal Act".

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 48 of the principal Act is amended—

(a) by striking out paragraph (a) of subsection (3) and substituting the following paragraphs:

Amendment of
s. 48—
Repeated and
other offences.

(a) where one of the justices is a special magistrate—sentence the prisoner, upon conviction, to a term of imprisonment not exceeding one year;

(b) where neither of the justices is a special magistrate—sentence the prisoner, upon conviction, to a term of imprisonment not exceeding seven days; ;

and

(b) by inserting after subsection (3) the following subsections:

(4) Where the justices referred to in subsection (3) (b) are of the opinion that a term of imprisonment exceeding seven days is warranted, they shall refer the question of sentence for hearing and determination by a visiting justice who is a special magistrate.

(5) A visiting justice to whom a question of sentence has been referred pursuant to subsection (4) may sentence the prisoner to a term of imprisonment not exceeding one year.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor