



ANNO VICESIMO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1978

No. 38 of 1978

An Act to amend the Police Offences Act, 1953-1976.

[Assented to 6th April, 1978]

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 "Police Offences Act Amendment Act, 1978". Short titles.

(2) The Police Offences Act, 1953-1976, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Police Offences Act, 1953-1978".

2. Section 33 of the principal Act is amended—

(a) by striking out from subsection (2) the passage "One hundred pounds" and inserting in lieu thereof the passage "Two thousand dollars";

and

(b) by striking out subsection (3).

Amendment of principal Act s.33—
Publication of indecent matter.

3. The following section is enacted and inserted in the principal Act after section 78 thereof:—

78a. (1) This section applies to an offence—

(a) that is an offence against the law of a State (other than this State) or a Territory of the Commonwealth;

and

(b) that consists of an act or omission which, if it occurred in this State, would constitute—

(i) an indictable offence;

or

(ii) an offence punishable by imprisonment for two years or more.

Enactment of s. 78a of principal Act—

Power of arrest in cases of certain offences committed outside the State.

(2) Any member of the police force may, without any warrant other than this Act, at any hour of the day or night, apprehend any person whom he has reasonable cause to suspect of having committed an offence to which this section applies.

(3) Any person apprehended pursuant to this section shall be brought as soon as practicable before a court of summary jurisdiction and the court—

(a) may discharge the person;

or

(b) may—

(i) admit him to bail on such conditions and recognizances as the court thinks fit;

or

(ii) commit him to custody,

pending the issue of a warrant for his apprehension under the law of the State or Territory in which he is alleged to have committed the offence, and the execution of that warrant.

(4) Where a person has been detained or admitted to bail pursuant to subsection (3) of this section and a warrant for his apprehension is not issued and executed within a reasonable time (not exceeding seven days) thereafter, that person shall be discharged from custody, or released from bail (as the case may require) by the court.

(5) The provisions of the Justices Act, 1921-1976, shall apply, with any necessary modifications, in relation to proceedings before a court of summary jurisdiction under this section.

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

K. SEAMAN, Governor