



ANNO QUARTO

GEORGII V REGIS.

A.D. 1913.

No. 1127.

An Act to amend the "Minor Offences Procedure Act, 1869."

[Assented to, December 18th, 1913.]

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 alone as "The Minor Offences Procedure Act Amendment Act, 1913." Short titles.

(2) The "Minor Offences Procedure Act, 1869" (hereinafter called "the principal Act"), and this Act may be cited together as "The Minor Offences Procedure Acts, 1869 and 1913." No. 8 of 1869-70.

2. This Act is incorporated with the principal Act, and the principal Act and this Act shall be read together as one Act. Incorporation.

3. (1) When any person is charged with larceny or embezzlement or obtaining money or goods by false pretences, and the charge might, by virtue of section 3 of the principal Act (as amended by this Act), or of section 12 of "The Justices Procedure Amendment Act, 1883-4," be heard and determined by a Special Magistrate or two or more Justices of the Peace in a summary way under the provisions of the principal Act, if the property stolen or embezzled or obtained was of the value of Five Pounds or less, then a Special Magistrate shall have jurisdiction so to hear and finally determine the charge if the value of the property stolen or embezzled or obtained does not exceed Fifty Pounds. Extension of jurisdiction of Special Magistrates under the principal Act in cases of larceny, embezzlement, and false pretences.

(2) Nothing

The Minor Offences Procedure Act Amendment Act.—1913.

(2) Nothing in this section shall be construed as taking away or diminishing any jurisdiction conferred by section 3 of the principal Act.

Amendment of section 3 of principal Act—
Larcenies from ships,
etc., cognizable under
principal Act.
No. 38 of 1876.

4. Section 3 of the principal Act is amended by inserting the words “and all larcenies punishable under section 185 of ‘The Criminal Law Consolidation Act, 1876,’” after the word “violence” in the fifth line thereof.

Amendments of section 4—Increase of
power to punish.

5. Section 4 of the principal Act is hereby amended—

- I. by substituting the word “twelve” for the word “six” in the eighth line, and also in the twelfth line thereof; and
- II. by substituting the word “Fifty” for the word “Twenty” in the tenth line thereof.

Repeal of section 6
and substitution of
other provisions.

6. Section 6 of the principal Act is repealed and the following provisions are enacted and substituted in lieu thereof, namely:—

Justice or Justices
not having jurisdic-
tion may remand for
hearing by Justices
or Magistrate having
jurisdiction.

6. (1) If any person appears before any single Justice of the Peace, other than a Special Magistrate, charged with any offence which is cognizable under this Act by a Special Magistrate or two or more Justices of the Peace, and which in the opinion of such Justice is proper to be disposed of under this Act, then such Justice shall remand such person and adjourn the hearing of the charge to such time and place as he deems fit, then and there to be heard by a Special Magistrate or two or more Justices of the Peace.

(2) If any person appears before any Justice or Justices of the Peace, not being nor including a Special Magistrate, charged with any offence which is cognizable under this Act by a Special Magistrate, and which in the opinion of such Justice or Justices is proper to be disposed of under this Act, then such Justice or Justices shall remand such person and adjourn the hearing of the charge to such time and place as he deems fit, then and there to be heard by a Special Magistrate.

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

DAY H. BOSANQUET, Governor.