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ANNO QUARTO

GEORGII V REGIS.

A.D. 1913.

No. 1117.

An Act to further amend the Police Act, 1869.

[Assented to, November 20th, 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 Police Act Further Amendment Act, 1913." Short titles.

(2) The "Police Act, 1869" (hereinafter called "the principal Act"), "The Police Amendment Act, 1898-9," and this Act, may be cited together as "The Police Acts, 1869 to 1913." No. 15 of 1869-70.
No. 715 of 1898-9.

2. This Act is incorporated with the Acts mentioned in section 1, and those Acts and this Act shall be read as one Act. Incorporation.

3. (1) Notwithstanding any law or custom, to the contrary, it shall be lawful for the Commissioner of Police to issue general search warrants to such members of the Police Force as he thinks fit. Power to grant general search warrants.
Cf. Commonwealth Customs Act No. 6 of 1901, s. 199.

(2) Every such warrant shall be in the form in the Schedule to this Act, or in a form to the like effect, and shall be signed by the Commissioner. Form of warrant.

(3) Every such warrant shall remain in force for six months from the date thereof, or for such (if any) shorter period as is specified therein: Provided that the Commissioner may at any time revoke any such warrant. Term of warrant.

(4) The

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Powers conferred by
warrant.

Ibid., ss. 200, 201.

(4) The member of the Police Force named in any such warrant may, at any time in the day or night, with such assistants as he thinks necessary, enter into and search any house, building, premises, or place where he has reasonable cause to suspect that any stolen goods are, and may break open the same; and he may break open and search any cupboards, drawers, chests, trunks, boxes, packages, or other things, whether fixtures or not, in which he has reasonable cause to suspect that any stolen goods may be found.

Construction of
s. 66 of principal
Act.

(5) The word “warrant” in the ninth line of section 66 of the principal Act shall be construed as including any warrant issued under this section.

(6) In this section the term “stolen goods” includes goods obtained by any felony or misdemeanor.

Amendments of s. 19
of the principal Act.

Penalties for assaults
on policemen.

4. Section 19 of the principal Act is amended as follows:—

- I. The words “or shall be liable to imprisonment with or without hard labor for any term not exceeding three months,” are inserted after the words “Ten Pounds” in the fifth line thereof:
- II. The words “in either case shall also forfeit and pay such sum or” are substituted for the word “also” in the fifth line thereof:
- III. The words “with or without hard labor” are added at the end thereof.

Amendments of s. 53.
Increase of penalties
for fighting, riotous,
and indecent
conduct.

5. Section 53 of the principal Act is amended as follows:—

- I. The words “Five Pounds” are substituted for the words “Forty Shillings” in the sixth line thereof:
- II. The words “two months” are substituted for the words “fourteen days” in the last line thereof.

Amendments of s. 59.
Proof of “intent”
unnecessary in
certain cases.

6. Section 59 of the principal Act is amended as follows:—

- I. The words “with intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned” in the tenth and eleventh lines thereof are struck out:
- II. The words “Five Pounds” are substituted for the words “Two Pounds” in the twelfth line thereof:
- III. The words “two months” are substituted for the words “one calendar month” in the last line thereof.

Amendments of
section 65.

7. Section 65 of the principal Act is amended as follows:—

- I. The words “Special Magistrate or two Justices” are substituted for the word “Justice” in the first and fifth lines thereof:

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- II. The words "Twenty-five Pounds" are substituted for the words "Five Pounds" in the seventh line thereof: Increase of penalties on persons suspected of having stolen goods.
- III. The words "twelve months" are substituted for the words "two calendar months" in the ninth line thereof.
8. Section 66 of the principal Act is amended as follows:— Amendments of section 66.
1. (a) The words "Special Magistrate or Justices" are substituted for the word "Justice" in the tenth line thereof: Penalties on persons in possession of stolen property.
- (b) In the paragraph numbered "First" the words "Special Magistrate or" are inserted before the word "Justices":
- (c) In the paragraph numbered "Fourth," and in the remainder of the section, the words "Special Magistrate or Justices" are substituted for the word "Justice" wherever it occurs:
- (d) In the second line of the proviso to the section the words "or their" are inserted after the word "his," and in the third line of the said proviso the words "or them" are inserted after the word "him":
- II. In the paragraphs numbered "First," "Second," and "Fourth" respectively, the words "Twenty-five Pounds" are substituted for the words "Ten Pounds," and the words "twelve months" are substituted for the words "two months":
- III. In the paragraph numbered "Third" the words "Ten Pounds" are substituted for the words "Five Pounds," and the words "six months" are substituted for the words "one month":
- IV. In the paragraph numbered "Fourth" the words "with or without hard labor" are inserted after the word "imprisoned" in the tenth line thereof:
- V. The remainder of the paragraph numbered "Fourth" after the word "months" in the eleventh line thereof shall be read as applying to the paragraphs numbered "First," "Second" and "Third," as well as to the paragraph numbered "Fourth":
- VI. The words "of this section" are substituted for the words "last aforesaid" in the first and second lines of the proviso to the section.

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

DAY H. BOSANQUET, Governor.

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THE SCHEDULE.

South [Royal Arms] Australia.

General Search Warrant.

To

You are hereby authorised, at any time in the day or night and with or without assistants and others, to enter and search any house, building, premises, or place where you have reasonable cause to suspect that any stolen goods are, and to break open such house, building, premises, or place, and to break open and search any cupboards, drawers, chests, trunks, boxes, or packages, or other things, whether fixtures or not, in which you have reasonable cause to suspect that any goods obtained by any felony or misdemeanor may be found. This warrant shall remain in force for six months from the date hereof [*if for a shorter period, state how long*].

Dated this

day of

19 .

Commissioner of Police.