



**JUSTICES AMENDMENT (ADDRESSES ON  
SENTENCES) ACT 1987**

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**No. 82 of 1987**

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**AN ACT to amend the Justices Act 1959.**

**[Royal Assent 27 November 1987]**

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Justices Amendment* Short title.  
*(Addresses on Sentences) Act 1987.*

**2**—This Act shall commence on the same day as the *Criminal* Commencement.  
*Code Amendment (Addresses on Sentences) Act 1987.*

Principal Act.

**3**—In this Act, the *Justices Act 1959\** is referred to as the Principal Act.

Insertion in  
Principal Act of  
new section  
140B.

**4**—After section 140A of the Principal Act, the following section is inserted:—

Addresses on  
sentences.

**140B**—(1) Where, on the hearing of a complaint by a court of summary jurisdiction, the defendant is convicted of the offence with which he is charged, the complainant or prosecutor of the offence may address the court with respect to the sentence for the offence that may be imposed by the court.

(2) Without limiting the generality of subsection (1), the complainant or prosecutor of an offence may, in an address pursuant to that subsection—

(a) draw the attention of the court to any aggravating circumstances, or the presence or absence of any extenuating circumstances, in relation to the offence;

(b) where the court has a choice with regard to the kinds of sentence that it may impose in relation to the offence, comment on the appropriateness of those kinds of sentence; and

(c) where the court has a choice with regard to those kinds of sentence, recommend that the court impose one of those kinds of sentence.

(3) The failure by the complainant or prosecutor of an offence to exercise his right under subsection (1) to address a court of summary jurisdiction with respect to the sentence for the offence shall not be taken into account by the Supreme Court in hearing a motion under section 107 to review the order made by that court of summary jurisdiction in relation to that sentence.

\* No. 77 of 1959. For this Act, as amended to 1st May 1982, see the continuing Reprint of Statutes. Subsequently amended by Nos. 33 and 51 of 1982, Nos. 45 and 75 of 1983, Nos. 29, 48, and 55 of 1984, Nos. 9, 51, and 121 of 1985, Nos. 45, 77, 93, and 115 of 1986, and No. 57 of 1987.

**5**—Section 140B of the Principal Act, as inserted by this Act, applies only to the hearing of a complaint by a court of summary jurisdiction that is commenced on or after the day on which this Act commences.

Application of  
section 140B of  
Principal Act.

