

VICTORIA.



ANNO TERTIO DECIMO

ELIZABETHÆ SECUNDÆ REGINÆ

No. 7163.

An Act to amend the *Justices Act 1958* with respect to Informations and Complaints and the Service of certain Summonses by Post and for other purposes.

[27th October, 1964.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. (1) This Act may be cited as the *Justices (Complaints and Summonses) Act 1964*.

Principal Act
No. 6282 as
amended by
Nos. 6495,
6505, 6581,
6641, 6867,
6886, 6958,
6961, 6997,
7040, 7086.

(2) In this Act the *Justices Act 1958* is referred to as the Principal Act.

Amendment of
No. 6282 s. 21.
Place where
offence or
matter arose to
be stated.

2. In sub-section (1) of section twenty-one of the Principal Act after the word "complaint" there shall be inserted the words "the name of the place where and the bailiwick in which the offence or such matter is alleged to have arisen".

3. In

3. In paragraph (b) of sub-section (2) of section twenty-five of the Principal Act—

- (a) after the words “motor car” (where first occurring) there shall be inserted the words “or a motor boat”;
- (b) after the words “motor car” (where second occurring) there shall be inserted the words “or motor boat”;
- and
- (c) after the expression “Motor Car Act 1958” there shall be inserted the expression “or the Motor Boating Act 1961”.

Amendment of
No. 6282 s. 25.

Address for
service of
summonses for
breaches of
*Motor Boating
Act 1961.*

4. In section eighty-nine of the Principal Act for the expression commencing with the words “if the defendant” and ending with the words “a credible witness” there shall be substituted the following expression :—

- “(a) if it appears to the court from the information complaint or application ; or
- (b) if the defendant or person opposing the application—
 - (i) objects that he is brought to the wrong court ; and
 - (ii) before any evidence is given in support of such information complaint or application makes it appear to the court either by the admission of the informant complainant or applicant or by the oath of a credible witness—”.

Amendment of
No. 6282 s. 89.

5. In sub-section (3) of section one hundred and two of the Principal Act before the words “the complainant need not attend either personally or otherwise” there shall be inserted the words “and the said summons or the particulars of demand annexed thereto sufficiently disclose the cause of action and the name of the place where and the bailiwick in which such cause of action is alleged to have arisen”.

Amendment of
No. 6282
s. 102.
Default
summons to
disclose where
cause of action
is alleged to
have arisen.

6. In the Fifth Schedule to the Principal Act after the expression “Local Government Act 1958” there shall be inserted the expression “Motor Boating Act 1961”.

Amendment of
No. 6282.
Fifth Schedule.
Summonses for
breaches of
*Motor Boating
Act 1961* may
be served by
registered post.