

SERVICE AND EXECUTION OF PROCESS.

No. 6 of 1958.

An Act to amend the *Service and Execution of Process Act 1901-1953*.

[Assented to 23rd April, 1958.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title
and citation.

1.—(1.) This Act may be cited as the *Service and Execution of Process Act 1958*.

(2.) The *Service and Execution of Process Act 1901-1953** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Service and Execution of Process Act 1901-1958*.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Definitions.

3. Section three of the Principal Act is amended by omitting from paragraph (f) the word "King" (wherever occurring) and inserting in its stead the word "Crown".

Subpoena or
summons to
witness may
be served in
another State
by leave of a
Court, &c.

4. Section sixteen of the Principal Act is amended—

(a) by omitting from sub-section (1.) the words "by any Court or Judge, or Police, Stipendiary, or Special Magistrate" and inserting in their stead the words "by or out of a Court, or by a Judge, a Police, Stipendiary or Special Magistrate or a Coroner,";

* Act No. 11, 1901, as amended by No. 18, 1912; No. 29, 1918; No. 27, 1922; No. 26, 1924; No. 14, 1928; No. 45, 1931; No. 45, 1934; No. 22, 1945; No. 80, 1950; and No. 48, 1953.

- (b) by inserting in sub-section (1.), after the word “proceeding”, the words “(including any proceeding before a Coroner)”;
- (c) by omitting from sub-sections (1.) and (2.) the words “or Magistrate” (wherever occurring) and inserting in their stead the words “Magistrate or Coroner”; and
- (d) by omitting sub-section (3.).

5. Section eighteen of the Principal Act is amended—

- (a) by inserting in sub-section (1.), after the word “Magistrate,” (first occurring), the words “a Coroner,”;
- (b) by inserting in sub-section (1.), after the words “in accordance with”, the words “section sixteen of this Act or”; and
- (c) by inserting in sub-section (1.), after the word “Magistrate,” (third and fourth occurring), the word “Coroner,”.

Backing of
warrant for
execution out
of the State or
part of the
Commonwealth
in which it was
issued.
