

PUNISHMENT OF OFFENCES.

No. 14 of 1901.

An Act to make provision for the Punishment of Offences against the Laws of the Commonwealth.

[Assented to 17th December, 1901.]

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

Short title and duration.

1. This Act may be cited as the *Punishment of Offences Act* 1901, and shall cease to have effect upon the establishment of the High Court.

Application of State laws.

2. The laws of each State respecting the arrest and custody of offenders, and the procedure for their summary conviction or for their examination and commitment for trial on indictment or information and for holding accused persons to bail, shall apply and be applied so far as they are applicable to persons who are charged with offences against the laws of the Commonwealth committed within that State, or whose trial for offences committed elsewhere may lawfully be held therein.

Jurisdiction of State courts.

3. The several courts and magistrates of each State exercising jurisdiction with respect to the summary conviction, or examination and commitment for trial, or trial upon indictment or information, of offenders against the laws of the State, shall have the like jurisdiction with respect to persons who are charged with offences against the laws of the Commonwealth committed within that State, or who may lawfully be tried within that State for offences committed elsewhere.

Provided that such jurisdiction shall not be judicially exercised with respect to the summary conviction or examination and commitment for trial of any person except by a Stipendiary, Police, or Special Magistrate, or some Magistrate of the State who is specially authorized by the Governor-General to exercise such jurisdiction.

Appeals.

4. Subject to the provisions of any Act, an appeal shall lie from any conviction judgment sentence or order of any Court of a State exercising jurisdiction under this Act to the Court and in the manner provided by the law of that State for appeals from the like convictions judgments sentences or orders in respect of persons charged with offences against the laws of that State.