



ANNO SECUNDO

## ELIZABETHAE II REGINAE

A.D. 1953

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## No. 15 of 1953.

An Act to amend the Offenders Probation Act,  
1913-1951.

[Assented to 5th November, 1953.]

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 as the " Offenders Probation Act Amendment Act, 1953 ". Short titles.

(2) The Offenders Probation Act, 1913-1951, as amended by this Act, may be cited as the " Offenders Probation Act, 1913-1953 ".

(3) The Offenders Probation Act, 1913-1951, is hereinafter called " the principal Act ".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. (1) Subsection (1) of section 4 of the principal Act is struck out and the following subsection is inserted in its place :— Amendment of principal Act, s. 4—

(1) Where any person is charged before a court of summary jurisdiction with an offence punishable by such court, and the court thinks that the charge is proved, but is of opinion that, having regard to—

(a) the character, antecedents, age, health, or mental condition of the person charged, or

(b) the trivial nature of the offence, or

Power to courts to permit conditional discharge of offenders.

(c) the extenuating circumstances under which the offence was committed,

it is expedient to exercise any of the powers conferred by this subsection, the court may—

- I. without convicting the person charged dismiss the information or complaint :
- II. having convicted the said person discharge him without penalty ;
- III. without convicting or having convicted the said person discharge him conditionally on his entering into a recognizance, with or without sureties—
  - (i.) to be of good behaviour, and
  - (ii.) to appear before a court of summary jurisdiction for conviction and sentence, or for sentence, when called upon at any time during such period, not exceeding three years, as is specified in the order.

(2) Subsection (5) of section 4 of the principal Act is amended by inserting after the word "hereof" in the second line thereof, the words "without conviction of the person charged".

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

R. A. GEORGE, Governor.