



JUSTICES AMENDMENT ACT (No. 2) 1983

No. 75 of 1983

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AN ACT to amend the Justices Act 1959.

[Royal Assent 13 December 1983]

BE 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 Act (No. 2)* Short title. 1983.

Commence-
ment.

2—(1) This section and section 1 shall commence on the day on which it receives the royal assent.

(2) Except as provided in subsection (1), this Act shall commence on a day to be fixed by proclamation.

Principal Act.

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

Amendment of
section 71 of
Principal Act
(Petty crimes
triable
summarily).

4—Section 71 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:—

(1) Where a person is brought before justices upon a complaint for an offence under—

(a) one of the sections of the *Criminal Code* referred to in Schedule 2 in respect of property the value of which does not exceed \$500; or

(b) section 278 or 279 of the *Criminal Code* in respect of a document, seal, or die which relates to an amount not exceeding \$500, whether as the consideration for a transaction or dealing or otherwise,

the section creating that offence shall, unless the justices think that the offence should be heard on indictment, be deemed, subject to subsection (2), to have created a simple offence, and the complaint shall be dealt with accordingly.

Amendment of
section 72 of
Principal Act
(Other crimes
triable
summarily).

5—Section 72 (1) of the Principal Act is amended as follows:—

(a) by omitting from paragraph (b) “\$100” and “\$1 000” and substituting “\$500” and “\$5 000” respectively;

(b) by omitting from paragraph (c) (i) “\$1 000” and substituting “\$5 000”;

(c) by omitting paragraph (d) and substituting the following paragraph:—

(d) under section 278 or 279 of the *Criminal Code* in respect of a document, seal, or die which relates to an amount exceeding \$500 and not exceeding \$5 000, whether as the consideration for a transaction or dealing or otherwise,

* 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 and No. 45 of 1983.

6—Schedule 2 to the Principal Act is amended by inserting “252A,” after “252,”.

Amendment of
Schedule 2 to
Principal Act
(Sections of
the *Criminal
Code*).

7—Schedule 3 to the Principal Act is amended by inserting “252A,” after “252,” in Part II.

Amendment of
Schedule 3 to
Principal Act
(Sections of
the *Criminal
Code*).

