

# AUSTRALIAN CAPITAL TERRITORY.

No. 12 of 1942.

## AN ORDINANCE

To amend the Crimes Act, 1900, of the State of New South Wales, in its application to the Territory.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1935* and the *Seat of Government (Administration) Act 1910-1940*, as follows:—

1. This Ordinance may be cited as the *Crimes Ordinance 1942*.<sup>\*</sup> Citation.
2. In this Ordinance, unless the contrary intention appears— Definition.  
“the Crimes Act” means the Crimes Act, 1900, of the State of New South Wales, in its application to the Territory.
3. Section four hundred and seventy-six of the Crimes Act is amended by omitting the words “twenty pounds” and inserting in their stead the words “One hundred pounds”. Extent of jurisdiction of Court of Petty Sessions.
4. After section five hundred and fifty-six of the Crimes Act, the following section is inserted:—  
“556A.—(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 the character, antecedents, age, health or mental condition of the person charged, or to the trivial nature of the offence, or to the extenuating circumstances under which the offence was committed, it is inexpedient to inflict any punishment, or any other than a nominal punishment, or that it is expedient to release the offender on probation, the Court may, without proceeding to conviction, make an order either— Power to permit conditional release of offender.
  - (a) dismissing the charge; or
  - (b) discharging the offender conditionally on his entering into a recognizance, with or without sureties, to be of good behaviour and to appear for conviction and sentence when called on at any time during such period, not exceeding three years, as is specified in the order.

<sup>\*</sup> Notified in the *Commonwealth Gazette* on 28th May, 1942.

(2.) An order under this section shall, for the purpose of re-vesting or restoring stolen property, and of enabling the Court to make orders as to the restitution or delivery of property to the owner, and as to the payment of money upon or in connexion with such restitution or delivery, and for the purpose of the exercise of any power conferred by sub-section (3.) of section five hundred and fifty-four, have the like effect as a conviction.”

Dated this twenty-eighth day of May, One thousand nine hundred and forty-two.

GOWRIE

Governor-General.

By His Excellency's Command,

JOHN A. BEASLEY

for Minister of State for the Interior.