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**Crimes (Amendment) Ordinance 1983**

**No. 27 of 1983**

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 15 September 1983.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

GARETH EVANS  
Attorney-General

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

**Short title**

1. This Ordinance may be cited as the *Crimes (Amendment) Ordinance 1983*.<sup>1</sup>

**The Crimes Act**

2. In this Ordinance, "the Crimes Act" means the Crimes Act, 1900 of the State of New South Wales in its application to the Territory.

**Headings—repeal**

3. The Crimes Act is amended by omitting all headings other than Part headings.

4. Section 1 of the Crimes Act is repealed and the following section substituted:

**Short title**

"1. This Act may be cited as the Crimes Act, 1900."

**Interpretation**

5. Section 4 of the Crimes Act is amended—

(a) by omitting the definition of “Dwelling-house” and substituting the following definition:

“ ‘Dwelling-house’ includes—

- (a) any building or other structure intended for occupation as a dwelling and capable of being so occupied, whether or not it is or has ever been so occupied;
- (b) any building or other structure containing separate flats or units that are intended for occupation as dwellings and capable of being so occupied, whether or not the flats or units are or have ever been so occupied;
- (c) a boat or vehicle in or on which any person resides; and
- (d) any building or structure within the same curtilage as a dwelling-house, and occupied therewith, or whose use is ancillary to the occupation of the dwelling-house.”; and

(b) by omitting the definition of “Justice”.

6. Section 9 of the Crimes Act is repealed and the following section substituted:

**Abolition of distinctions between felony and misdemeanour**

“9. All distinctions between felony and misdemeanour are hereby abolished.”.

**Murder defined**

7. Section 18 of the Crimes Act is amended by omitting from sub-section (1) “death or penal servitude for life” and substituting “imprisonment for life”.

**Murder—punishment**

8. Section 19 of the Crimes Act is amended by omitting “suffer death” and substituting “imprisonment for life”.

**Manslaughter—punishment**

9. Section 24 of the Crimes Act is amended by omitting all words from and including “penal servitude” to and including “three years” (second occurring) and substituting “imprisonment for life”.

10. After section 33 of the Crimes Act the following sections are inserted:

**Discharging loaded arms with intent**

“33A. Any person who maliciously discharges, or in any manner attempts to discharge, any kind of loaded arms with intent to do grievous bodily harm to any person, or with intent to resist, or prevent, the lawful apprehension or detention of himself or any other person shall be liable to imprisonment for 14 years.

**Use of weapon to resist arrest, &c.**

“33B. Any person who—

- (a) uses, or threatens to use, an offensive weapon or instrument; or
- (b) threatens to injure any person or property,

with intent to prevent or hinder the lawful apprehension or detention of himself or any other person or to prevent or hinder a member of the police force from investigating any act or matter which reasonably calls for investigation by the member shall be liable to imprisonment for 10 years.”.

**11.** After section 91D of the Crimes Act the following section is inserted in Part IV:

**Property previously stolen**

“93. Where, upon the trial of a person for any offence which includes the stealing of any property, it appears that the property was, at the time when it was taken by the person, out of the possession of the owner by reason of its having been stolen by another person, the first-mentioned person may be convicted of the offence charged notwithstanding that it is not proved that the taking by that person of the property constituted an interference with the right to possession of, or a trespass against, the owner.”.

**Breaking and entering place of Divine worship and committing offence**

**12.** Section 106 of the Crimes Act is amended by adding at the end thereof the following sub-section:

“(2) A person who, being armed with an offensive weapon or instrument, or being in company with another person who is so armed, commits an offence against sub-section (1) shall be liable to imprisonment for 20 years.”.

**The like with intent to commit an offence**

**13.** Section 107 of the Crimes Act is amended—

- (a) by omitting “felony” and substituting “an offence”; and
- (b) by adding at the end thereof the following sub-section:

“(2) A person who, being armed with an offensive weapon or instrument, or being in company with another person who is so armed, commits an offence against sub-section (1) shall be liable to imprisonment for 14 years.”.

**Burglary**

**14.** Section 108 of the Crimes Act is amended by adding at the end thereof the following sub-section:

“(2) A person who, being armed with an offensive weapon or instrument, or being in company with another person who is so armed, commits an offence against sub-section (1) shall be liable to imprisonment for 20 years.”.

**Entering with intent, or stealing, &c., in dwelling-house and breaking out**

15. Section 109 of the Crimes Act is amended—

- (a) by omitting “commit felony” and “any felony” and substituting “commit an offence” and “any offence”, respectively; and
- (b) by adding at the end thereof the following sub-section:

“(2) A person who, being armed with an offensive weapon or instrument, or being in company with another person who is so armed, commits an offence against sub-section (1) shall be liable to imprisonment for 20 years.”.

**Entering dwelling-house in the night**

16. Section 111 of the Crimes Act is amended—

- (a) by omitting “felony” and substituting “an offence”; and
- (b) by adding at the end thereof the following sub-section:

“(2) A person who, being armed with an offensive weapon or instrument, or being in company with another person who is so armed, commits an offence against sub-section (1) shall be liable to imprisonment for 14 years.”.

**Injuries to works of art in museums, &c.**

17. Section 244 of the Crimes Act is amended by omitting all words after “shall be liable to” and substituting “imprisonment for 5 years”.

**Perjury with intent to procure conviction, &c.**

18. Section 328 of the Crimes Act is amended by omitting “with death, or by penal servitude,” and substituting “by imprisonment”.

**Person in act of committing or having committed an offence**

19. Section 352 of the Crimes Act is amended by omitting sub-section (1) and substituting the following sub-section:

“(1) Any person may, without warrant, apprehend—

- (a) any person in the act of committing, or immediately after having committed, an offence punishable, whether by indictment or on summary conviction, under any law in force in the Territory; or
- (b) any person who has committed an offence punishable by imprisonment for 5 years or more, being an offence for which he has not been tried,

and take him, and any property found upon him, before a Magistrate to be dealt with according to law.”.

**Judgment after sentence deferred**

20. Section 441 of the Crimes Act is amended by omitting “, whether punishable with death or otherwise,”.

21. After section 441 of the Crimes Act the following section is inserted:

**Time from which sentence to take effect**

“441A. Where a Court passes a sentence, the sentence shall take effect from the date on which it is passed unless the Court otherwise orders.”.

**Proof of previous conviction**

22. Section 444 of the Crimes Act is amended by omitting from sub-section (1) “previously passed on him, whether of penal servitude, or imprisonment,” and substituting “of imprisonment previously passed on him”.

23. After section 447 of the Crimes Act the following section is inserted in Part XII:

**Outstanding charges may be taken into account in passing sentence**

“448. (1) Where a person is convicted of an offence, not being an offence punishable by imprisonment for life, and the Court is satisfied that—

- (a) there has been filed in court a document in, or to the effect of, the form set out in the Sixth Schedule, signed by the Deputy Crown Solicitor, Australian Capital Territory, or by a person authorized in writing by him, and by the person so convicted, containing on the back of the form a list of other offences, not being offences punishable with imprisonment for life, with which the person has been charged (whether or not the person has been committed for trial in respect of those other offences);
- (b) a copy of that document has been furnished to the person so convicted; and
- (c) in all the circumstances of the case it is proper to do so,

the Court may, with the consent of the prosecutor and before passing sentence on the person for the offence of which he is convicted, ask the person whether he admits his guilt in respect of all or any of the offences specified in the list and wishes those offences to be taken into account in passing sentence upon him.

“(2) Where a person referred to in sub-section (1) asks the Court to take into account any offence in passing sentence for the offence of which he has been convicted, the Court may take that first-mentioned offence into account in passing sentence.

“(3) The Court shall not take into account under this section any indictable offence that it would not have jurisdiction to try even if the defendant consented to the Court hearing and determining proceedings for the offence or the prosecutor requested the Court to hear and determine those proceedings.

“(4) Where the Court decides to take an offence into account under sub-section (2), the sentence passed by the Court upon the person shall not

exceed the maximum sentence that may be passed in respect of the offence of which the person is convicted.

“(5) The Court shall certify upon the document referred to in sub-section (1) the offences (if any) that have been taken into account in passing sentence on the person to whom the document relates for an offence of which that person is convicted, and proceedings or further proceedings shall not be taken against that person in respect of any offence so certified unless his conviction is quashed or set aside.

“(6) An admission of guilt made by a person under this section in respect of an offence shall not be admissible in evidence in any proceedings or further proceedings taken against that person in respect of that offence.

“(7) Where, under this section, an offence is taken into account in passing sentence on a person in respect of another offence of which he is convicted, the person shall not, by reason of the first-mentioned offence being so taken into account, be regarded, for any purpose as having been convicted of that first-mentioned offence.

“(8) Where, under this section, an offence is taken into account in passing sentence on a person in relation to another offence of which he is convicted—

- (a) reference may be made to the fact that the first-mentioned offence was so taken into account in, or in relation to, any criminal proceedings where reference may lawfully be made to the fact that the person was convicted of the second-mentioned offence; and
- (b) evidence may be given of the fact that the first-mentioned offence was so taken into account in, or in relation to, any criminal proceedings where evidence may lawfully be given of the fact that the person was convicted of the second-mentioned offence.

“(9) For the purposes of sub-section (8), the fact that an offence was taken into account in passing sentence on a person in respect of another offence of which he is convicted may be proved in the same manner as the conviction of the person may be proved.

“(10) For the purposes of this section, a reference to passing sentence shall be read as including a reference to—

- (a) deferring the passing of a sentence;
- (b) making an order under sub-section 556A (1);
- (c) making an order under sub-section 19B (1) of the *Crimes Act 1914*; and
- (d) making a decision or an order to remand in custody or to remand and release, upon conditions or otherwise.”

**Offences that may be dealt with summarily with consent of accused**

24. Section 477 of the Crimes Act is amended by inserting in paragraph (1) (a) “, other than a common law offence” after “an offence”.

25. After section 477 of the Crimes Act the following section is inserted:

**Common law offences may be dealt with summarily by consent**

“477A. Where—

- (a) a person is charged before the Court of Petty Sessions with a common law offence;
- (b) in the opinion of the Court the charge is not one that the Court has jurisdiction, apart from this section, to hear and determine in a summary manner;
- (c) the evidence for the prosecution is, in the opinion of the Court, sufficient to put the accused on his trial;
- (d) the Court is of the opinion that the case may properly be disposed of summarily;
- (e) the prosecution and the accused both consent to its being so disposed of; and
- (f) in the case of an offence relating to money or property other than a vehicle, the amount of the money involved, or the value of the property involved, as the case may be, does not, in the opinion of the Court, exceed \$2,000,

the Court has jurisdiction to hear and determine the charge in a summary manner, and to pass sentence upon the person so charged.

“(2) In this section, ‘vehicle’ has the same meaning as in section 154A.”.

**Certificate of dismissal**

26. Section 480 of the Crimes Act is amended by omitting “or 477” and substituting “, 477 or 477A”.

**Summary conviction or dismissal a bar to indictment**

27. Section 481 of the Crimes Act is amended—

- (a) by omitting from sub-section (1) “or 477” and substituting “, 477 or 477A”; and
- (b) by omitting from sub-section (2) “or 477” and substituting “, 477 or 477A”.

**Seventh Schedule**

28. The Seventh Schedule to the Crimes Act is repealed and the following Schedule substituted:

## "SIXTH SCHEDULE

Section 448

## Form of List of Other Offences Charged

Deputy Crown Solicitor's Office,  
Canberra, A.C.T.To .....  
charged with .....

## Memorandum for accused's information

- (1) The list on the back hereof gives particulars of ..... other alleged offences with which you are charged.
- (2) If you are convicted of the charge of ..... first mentioned above, you may before sentence is passed, if the presiding Judge or Magistrate so decides and the prosecutor consents, admit all or any of the other offences set out on the back hereof and ask that any of those offences that you have admitted be taken into account by the presiding Judge or Magistrate in passing sentence upon you.
- (3) If you are convicted and the presiding Judge or Magistrate does take any of the other offences that you have admitted into account, the maximum sentence that may be imposed upon you will nevertheless be the maximum sentence for the offence of ..... first mentioned above.
- (4) No further proceedings may be taken against you in respect of the other offences taken into account unless your conviction for the offence of ..... first mentioned above is set aside or quashed.
- (5) If proceedings are taken in the circumstances mentioned in (4) or if the presiding Judge or Magistrate does not for any reason take any one or more of the other offences that you have admitted into account, your admission cannot be used as evidence against you in any proceedings taken in the circumstances mentioned or taken in respect of the offences not taken into account.

Signature of the Deputy Crown Solicitor, Australian Capital Territory, or of a person authorized in writing by him .....

Date .....

Signature of accused acknowledging receipt of  
copy of this document .....

Date .....

## CERTIFICATE

In sentencing ..... for the offence of ..... this day, I have taken into account the following offences alleged against and admitted by him, that is to say, the offences numbered ..... in the list on the back hereof.

Dated this            day of            19 .

.....  
A Judge of the Supreme Court  
or A Magistrate of the Court of Petty Sessions



[BACK OF FORM]

Number	Place where offence was committed	Date of offence	Offence(s) (Brief description)	Whether or not committed for trial? Yes or No

**Penal servitude—omission of references**

29. Each provision of the Crimes Act specified in Schedule 1 is amended by omitting “penal servitude” (wherever occurring) and substituting “imprisonment”.

**Further amendments**

30. A provision of the Crimes Act specified in Column 1 of Schedule 2 is amended as set out in Column 2 of that Schedule.

**Repeals**

31. (1) Part VI of the Crimes Act is repealed.

(2) Each provision of the Crimes Act specified in Schedule 3 is repealed.

(3) The Habitual Criminals Act, 1905 of the State of New South Wales shall cease to be in force in the Territory.

**Transitional**

32. Where, before the date of commencement of this Ordinance, a person was charged with an offence against the Crimes Act and the person had not been dealt with before that date, the person shall be dealt with as if the charge were a charge in respect of that offence made under the Crimes Act as amended by this Ordinance.

## SCHEDULE 1

Section 29

## PROVISIONS REFERRING TO PENAL SERVITUDE

Section 21, 26, 29, 30, 31, 32, 33, 35, 37, 38, 39, 41, 42, 43, 44, 46, 47, 48, 50, 51, 55, 57, 59, 65, 66, 68, 71, 72, 72A, 73, 74, 76, 78A, 78C, 79, 80, 81, 82, 83, 84, 86, 87, 89, 91, 91A, 91B, 91D, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 106, 107, 108, 109, 111, 112, 113, 114, 115, 117, 126, 135, 138, 148, 149, 150, 152, 153, 156, 157, 158, 159, 160, 165, 166, 169, 170, 172, 173, 174, 175, 176, 179, 184, 185, 186, 188, 189A, 197, 198, 199, 200, 201, 202, 203, 204, 205, 207, 209, 210, 211, 212, 213, 214, 215, 216, 217, 221, 222, 223, 224, 225, 226, 228, 230, 236, 237, 238, 239, 241, 242, 243, 245, 247, 248, 255, 256, 257, 258, 265, 266, 267, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 281, 282, 283, 284, 285, 288, 289, 290, 291, 292, 293, 294, 298, 327, 328, 330, 344, 349, 443.

## SCHEDULE 2

Section 30

## FURTHER AMENDMENTS OF CRIMES ACT

Column 1 Provision	Column 2 Amendment
2	Omit sub-section (3).
7	Omit "or any other Act the felonious", substitute "Act or any other law in force in the Territory the".
25	Omit "New South Wales" (wherever occurring), substitute "the Territory".
55	Omit "being felony" (wherever occurring).
58	Omit "felony", substitute "an offence".
106	Omit "felony" (wherever occurring), substitute "offence".
112	Omit "felony" (wherever occurring), substitute "offence".
113	Omit "felony", substitute "an offence".
114	Omit "felony" (wherever occurring), substitute "offence".
115	Omit "felony or misdemeanour", substitute "offence".
117	(a) Omit "simple" (wherever occurring). (b) Omit "felony", substitute "offence".
121	(a) Omit "feloniously" (wherever occurring). (b) Omit "felonious".
122	Omit "feloniously" (wherever occurring).
123	(a) Omit "a misdemeanour", substitute "an offence punishable by imprisonment for less than 5 years". (b) Omit "such misdemeanour", substitute "that offence".
125	Omit ", and may be convicted thereof upon an indictment for simple larceny."
134	Omit "simple".
139	Omit "simple".
140	(a) Omit "twenty shillings", substitute "\$2". (b) Omit "five pounds", substitute "\$10". (c) Omit "simple".
144	Omit "simple".
146	Omit "a misdemeanour", substitute "an offence".
147	Omit "simple".
148	Omit "five pounds", substitute "\$10".
150	Omit "ten shillings", substitute "\$1".
153	Omit "twenty shillings", substitute "\$2".
154	Omit "simple".
154A	Omit ", and may be convicted thereof upon an indictment for simple larceny."
163	Omit "simple".

## SCHEDULE 2—continued

Column 1 Provision	Column 2 Amendment
168	Omit "a misdemeanour", substitute "an offence".
183	Omit "simple".
188	(a) Omit "to felony", substitute "to an offence punishable by imprisonment for 5 years or more". (b) Omit "of felony", substitute "of an offence". (c) Omit "substantive felony", substitute "substantive offence". (d) Omit "principal felon", substitute "principal offender".
189	(a) Omit "is a misdemeanour", substitute "is an offence punishable by imprisonment for less than 5 years". (b) Omit "of a misdemeanour", substitute "of an offence".
190	(a) Omit "feloniously killed", substitute "that has been killed in contravention of this Act". (b) Omit "feloniously stolen", substitute "that has been stolen". (c) Omit "felony", substitute "an offence". (d) Omit "feloniously" (last occurring).
201	Omit "the offence would amount to felony", substitute "the offence would be punishable by imprisonment for 5 years or more".
216	Omit "twenty shillings", substitute "\$2".
217	Omit "five pounds", substitute "\$10".
218	Omit "one shilling", substitute "10 cents".
245	Omit "twenty pounds", substitute "\$40".
246	Omit "one hundred pounds", substitute "\$200".
247	Omit "five pounds", substitute "\$10".
251	Omit "New South Wales", substitute "the Territory".
265	Omit "New South Wales", substitute "the Territory".
266	Omit "New South Wales", substitute "the Territory".
267	Omit "New South Wales", substitute "the Territory".
269	Omit "New South Wales", substitute "the Territory".
277	Omit "or by the Master in Equity,".
280	Omit "in New South Wales".
281	Omit "in New South Wales".
285	Omit "at Sydney, or formerly filed or recorded in the Supreme Court of New South Wales for the district of Port Phillip,".
286	Omit "or Justice".
290	Omit "the Act", substitute "the law".
291	(a) Omit "part of the British dominions other than New South Wales", substitute "place other than the Territory". (b) Omit "part of the said dominions", substitute "place".
292	Insert "or by any law in force in the Territory," after "Imperial Act,".
293	Omit "Act passed or to be passed for or", substitute "law in force in the Territory".
333	Omit "a misdemeanour", substitute "an offence".
340	(a) Omit "or any Circuit, or District Court, or before any Judge of any such Court, or any Chairman of Quarter Sessions, the Judge, or Chairman", substitute "or before any Judge of that Court, the Judge". (b) Omit ", or Circuit Court, or Court of Quarter Sessions", substitute "Court".
341	(a) Omit from sub-section (1) ", or Chairman". (b) Omit from sub-section (2) ", or Justice or Justices," and ", a Judge of a District Court, or Chairman of Quarter Sessions".
342	(a) Omit "any Act", substitute "any law in force in the Territory". (b) Omit "Act" (last occurring), substitute "law".
352	(a) Omit paragraph (2) (a). (b) Omit from paragraph (2) (b) "felony", substitute "offence punishable by imprisonment for 5 years or more". (c) Omit from sub-section (2) "Justice", substitute "Magistrate".

## SCHEDULE 2—continued

Column 1 Provision	Column 2 Amendment
	(d) Omit from sub-section (3) "a misdemeanour, or an offence punishable as a misdemeanour," substitute "an offence".
	(e) Omit from sub-section (3) "Justice", substitute "Magistrate".
353	Omit "Justice", substitute "Magistrate".
355	Omit "felony", substitute "an offence".
360	Omit "nor for the omission or improper insertion of the word 'feloniously',"
363	Omit "of felony and misdemeanour alike,".
370	Omit "not capital".
371	(a) Omit "every case of felony, at Common Law or by Statute," substitute "the case of any offence,".
	(b) Omit "felonies", substitute "offences".
	(c) Omit "felon", substitute "offender".
378	(a) Omit "felony", substitute "offence".
	(b) Omit "in manner heretofore accustomed".
380	Omit "not being capital,".
384	Omit "feloniously" (wherever occurring).
385	(a) Omit "felony at Common Law or by Statute", substitute "an offence".
	(b) Omit "felonies", substitute "offences".
	(c) Omit "felon" substitute "offender".
400	Omit ", whether of felony or misdemeanour,".
411	Omit "of felony or misdemeanour,".
420	Omit "feloniously" (wherever occurring).
425	(a) Omit "a misdemeanour", substitute "an offence".
	(b) Omit "to felony", substitute "to another offence".
	(c) Omit "such misdemeanour", substitute "the first-mentioned offence".
	(d) Omit "for felony" (first occurring), substitute "for the second-mentioned offence".
	(e) Omit "for felony" (second occurring), substitute "for the second-mentioned offence".
426	Omit "felony", substitute "an offence".
427	Omit "felony, or misdemeanour," substitute "offence".
437	(a) Omit "any felony", substitute "any offence".
	(b) Omit "five hundred pounds", substitute "\$1,000".
	(c) Omit "such felony", substitute "that offence".
443	(a) Omit "a felony", substitute "punishable by imprisonment for five years or more".
	(b) Omit "a misdemeanour", substitute "punishable by imprisonment for less than 5 years".
457	Omit from sub-section (1) "Prothonotary", substitute "Registrar".
465	Omit "felony", substitute "offence".
466	Omit "felony", substitute "offence".
474	(a) Omit from sub-section (1) "any case of misdemeanour", substitute "the case of any offence".
	(b) Omit sub-section (2).
475	(a) Omit from sub-section (1) "Governor", substitute "Governor-General".
	(b) Omit from sub-section (1) "Justice" (wherever occurring), substitute "Magistrate".
	(c) Omit from sub-section (2) "Justice" (wherever occurring), substitute "Magistrate".
	(d) Omit from sub-section (3) "Justice" (wherever occurring), substitute "Magistrate".
	(e) Omit from sub-section (4) "Justice", substitute "Magistrate".
	(f) Omit from sub-section (4) "Governor" (wherever occurring), substitute "Governor-General".
476	Omit from paragraph (2) (a) "simple".
493	(a) Omit "two Justices", substitute "a Magistrate".
	(b) Omit "ten pounds", substitute "\$20".
494	(a) Omit "two Justices", substitute "a Magistrate".
	(b) Omit "twenty pounds", substitute "\$40".
495	(a) Omit "two Justices", substitute "a Magistrate".
	(b) Omit "twenty pounds", substitute "\$40".
496	(a) Omit "two Justices", substitute "a Magistrate".

## SCHEDULE 2—continued

Column 1 Provision	Column 2 Amendment
	(b) Omit "twenty pounds", substitute "\$40".
497	(a) Omit "Justices find", substitute "Magistrate finds". (b) Omit "are of opinion", substitute "is of opinion". (c) Omit "they shall", substitute "he shall".
498	(a) Omit "Justices deem", substitute "Magistrate deems". (b) Omit "find", substitute "finds". (c) Omit "dismiss the complaint, they", substitute "dismisses the complaint, he,".
500	Omit "Justices", substitute "a Magistrate".
501	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "fifty pounds", substitute "\$100".
502	(a) Omit "two Justices", substitute "Magistrate". (b) Omit "the Justices", substitute "the Magistrate". (c) Omit "fifty pounds", substitute "\$100".
503	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
504	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
505	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
506	Omit "two Justices", substitute "a Magistrate".
507	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
508	Omit "two Justices", substitute "a Magistrate".
509	Omit "Justice", substitute "Magistrate".
510	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
511	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "two pounds", substitute "\$4".
512	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "five pounds", substitute "\$10".
513	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "five pounds", substitute "\$10".
514	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
515	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
517	(a) Omit "two Justices fails to satisfy them", substitute "a Magistrate fails to satisfy the Magistrate". (b) Omit "such Justices", substitute "the Magistrate". (c) Omit "five pounds", substitute "\$10".
518	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "five pounds", substitute "\$10".
519	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "ten pounds", substitute "\$20".
520	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
521	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "one pound", substitute "\$2".
522	(a) Omit "two Justices, fails to satisfy them", substitute "a Magistrate, fails to satisfy the Magistrate". (b) Omit "twenty pounds", substitute "\$40". (c) Omit "such Justices", substitute "the Magistrate".
524	Omit "some Justice", substitute "a Magistrate".
525	Omit "two Justices", substitute "a Magistrate".
526A	Omit from sub-section (1) "One hundred pounds", substitute "\$200".

## SCHEDULE 2—continued

Column 1 Provision	Column 2 Amendment
527	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
528	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "fifty pounds", substitute "\$100".
529	Omit "two Justices", substitute "a Magistrate".
531	Omit "Justices", substitute "a Magistrate".
532	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "five pounds", substitute "\$10".
533	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
534	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
535	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "one pound", substitute "\$2".
536	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "ten pounds", substitute "\$20".
537	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "five pounds", substitute "\$10".
538	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
539	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
540	Omit "two Justices", substitute "a Magistrate".
541	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "five pounds", substitute "\$10".
542	(a) Omit "two Justices", substitute "a Magistrate". (b) Omit "twenty pounds", substitute "\$40".
543	Omit "Justices think", substitute "Magistrate thinks".
547	(a) Omit from sub-section (1) "any Justice" (wherever occurring), substitute "a Magistrate". (b) Omit from sub-section (1) "the Justice", substitute "the Magistrate". (c) Omit from sub-section (2) "Justice", substitute "Magistrate". (d) Omit from sub-section (3) "Justice", substitute "Magistrate".
548	(a) Omit "Justices", substitute "a Magistrate". (b) Omit "Act in force for the time being", substitute "law in force in the Territory". (c) Omit "such Act", substitute "such law".
550	Omit "Justices", substitute "a Magistrate".
551	Omit "Justices", substitute "a Magistrate".
552	(a) Omit "before Justices", substitute "before a Magistrate". (b) Omit "Justices may, if they think", substitute "Magistrate may, if the Magistrate thinks". (c) Omit "they think just", substitute "the Magistrate thinks just". (d) Omit "fixed by them", substitute "fixed by the Magistrate".
553	Omit "Justice or Justices", substitute "Magistrate".
554	(a) Omit sub-section (1). (b) Omit from sub-section (3) "One hundred and fifty pounds", substitute "\$300".
555	(a) Omit "convicting Justices", substitute "convicting Magistrate". (b) Omit "by Justices" (wherever occurring), substitute "by a Magistrate".
556	Omit "Justices", substitute "Magistrate".
565	Omit "Justice", substitute "Magistrate".
566	Omit "Justice", substitute "Magistrate".
567	Omit "Justices", substitute "Magistrates".
575	Omit "Act for the time being in force.", substitute "law in force in the Territory".

**SCHEDULE 3**

Section 31

**PROVISIONS REPEALED**

Section 10, 17, 60, 123, 141, 142, 143, 253, 254, 259, 260, 261, 262, 263, 264, 279, 295, 296, 297, 299, 334, 335, 336, 337, 338, 339, 345, 346, 347, 348, 350, 351, 354, 355, 356, 357, 361, 377, 391, 397, 398, 401, 416, 422, 430, 432, 433, 440, 448, 449, 450, 451, 452, 458, 461, 462, 463, 464, 467, 469, 471, 544, 545, 546, 549, 568, 569, 570, 571, 572, 573.

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**NOTE**

- I. Notified in the *Commonwealth of Australia Gazette* on 22 September 1983.