



AUSTRALIAN CAPITAL TERRITORY

## Crimes (Amendment) Act 1993

No. 3 of 1993

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### **An Act to amend the *Crimes Act 1900***

*[Notified in ACT Gazette S23: 1 March 1993]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

1. This Act may be cited as the *Crimes (Amendment) Act 1993*.

#### **Commencement**

2. This Act commences on the day it is notified in the *Gazette*.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Crimes Act 1900*.<sup>1</sup>

**Substitution**

4. Section 354 of the Principal Act is repealed and the following section substituted:

**Provision of interpreters in the investigation of summary offences**

“354. (1) Sections 23A, 23B and 23N and sections 23S to 23W (inclusive) of the Commonwealth Crimes Act, and the Schedule to that Act, apply to summary offences in the same way as they apply to indictable offences, subject to this section.

“(2) The applied provisions apply only in relation to—

- (a) the provision of interpreters in the course of the questioning of persons about summary offences; and
- (b) tape recordings of the questioning of persons about summary offences where an interpreter is present during the questioning.

“(3) Subsections 23B (4) and (5) and 23V (3) of the Commonwealth Crimes Act do not apply to summary offences.

“(4) The applied provisions do not apply to an offence—

- (a) against the *Motor Traffic (Alcohol and Drugs) Act 1977*; or
- (b) to which section 180A of the *Motor Traffic Act 1936* applies, where the police officer questioning the relevant person—
  - (i) intends to issue a traffic infringement notice under that section in relation to the offence; or
  - (ii) intends to take no further action against the person in relation to the offence.

“(5) In this section—

‘applied provisions’ means the provisions of the Commonwealth Crimes Act referred to in subsection (1);

‘Commonwealth Crimes Act’ means the *Crimes Act 1914* of the Commonwealth;

‘indictable offence’ means an offence against a law of the Territory punishable by imprisonment for a period exceeding 12 months;

‘summary offence’ means an offence against a law of the Territory punishable on summary conviction, except an offence punishable by imprisonment for a period exceeding 12 months.”.

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**NOTE**

1. Reprinted as at 8 July 1992. See also Act No. 76, 1992.

*[Presentation speech made in Assembly on 10 December 1992]*

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