

JUSTICES ORDINANCE 1965

No. 60 of 1965

An Ordinance to amend the *Justices Ordinance* 1928-1964

[Assented to 17th December, 1965.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1965, as follows:—

Short title
and citation

1.—(1.) This Ordinance may be cited as the *Justices Ordinance* 1965.

(2.) The *Justices Ordinance* 1928-1964 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Justices Ordinance* 1928-1965.

Commencement

2. This Ordinance shall come into operation on the fourteenth day of February, One thousand nine hundred and sixty-six.

Powers of
a single
Judge

3. Section 43 of the Principal Ordinance is amended by omitting from paragraph (c) of sub-section (2.) the words "Fifty pounds" and inserting in their stead the words "One hundred dollars".

Contempt
of Court

4. Section 46 of the Principal Ordinance is amended—

(a) by omitting from sub-section (1.) the words "Ten pounds" and inserting in their stead the words "Twenty dollars"; and

(b) by omitting from sub-section (2.) the words "Ten pounds" and inserting in their stead the words "Twenty dollars".

Compensation
may be
awarded in
vexatious
cases

5. Section 48 of the Principal Ordinance is amended by omitting the words "Five Pounds" and inserting in their stead the words "Ten dollars".

6. Section 75 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (a) of sub-section (2.) the words “Forty shillings” and inserting in their stead the words “Four dollars”; and
- (b) by omitting from sub-section (7.) the words “One hundred pounds” and inserting in their stead the words “Two hundred dollars”.

General
power of
Courts to
refrain from
or mitigate
punishment

7 Section 81 of the Principal Ordinance is amended—

- (a) by omitting the scale after the words “within the limits fixed by the following scale:—” and inserting in its stead the following scale:—

Term of
imprisonment
where none
specifically
prescribed

Where the sum adjudged to be paid including the costs—	The period of imprisonment shall be—
Does not exceed Two dollars	One day
Exceeds Two dollars	One day and in addition one day for every Two dollars in excess of Two dollars.

”;

and

- (b) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“(2.) For the purposes of the last preceding sub-section, where the sum adjudged to be paid including the costs is not a multiple of Two dollars that sum shall be deemed to be the next highest multiple of Two dollars.”.

8. Section 87 of the Principal Ordinance is amended by omitting from paragraph (i) the words “Twenty pounds” and inserting in their stead the words “Forty dollars”.

Wearing
apparel, &c.,
protected
against
distress

9 Section 94 of the Principal Ordinance is amended by omitting from sub-section (1.) the word “penny” and inserting in its stead the word “cent”.

Reduction of
imprisonment on
part payment of
sums adjudged to
be paid

10. Section 120 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (i) of sub-section (1.) the words “Five pounds” and inserting in their stead the words “Ten dollars”;

Minor
offences
cognizable
by Justices

- (b) by omitting from paragraph (iii) of sub-section (1.) the words "Five pounds" and inserting in their stead the words "Ten dollars";
- (c) by omitting from paragraph (iiiA) of sub-section (1.) the words "Five pounds" and inserting in their stead the words "Ten dollars";
- (d) by omitting from paragraph (iiiB) of sub-section (1.) the words "Five pounds" and inserting in their stead the words "Ten dollars";
- (e) by omitting from paragraph (a) of sub-section (2.) the words "Two hundred pounds" and inserting in their stead the words "Four hundred dollars";
- (f) by omitting from paragraph (aa) of sub-section (2.) the words "Two hundred pounds" and inserting in their stead the words "Four hundred dollars"; and
- (g) by omitting from paragraph (b) of sub-section (2.) the words "Two hundred pounds" and inserting in their stead the words "Four hundred dollars".

Powers of
Court as to
punishment
for minor
offences

11. Section 129 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (2.) the words "Two hundred pounds" and inserting in their stead the words "Four hundred dollars"; and
- (b) by omitting from sub-section (3.) the words "Two hundred pounds" and inserting in their stead the words "Four hundred dollars".

Summary
jurisdiction
in certain
assault
cases

12. Section 131B of the Principal Ordinance is amended by omitting from sub-section (2.) the words "Fifty pounds" and inserting in their stead the words "One hundred dollars".

Summary
jurisdiction
in assault
cases of an
aggravated
nature

13. Section 131C of the Principal Ordinance is amended by omitting from sub-section (2.) the words "Two hundred pounds" and inserting in their stead the words "Four hundred dollars".

Recognizances
on appeal

14. Section 167 of the Principal Ordinance is amended by omitting from sub-paragraph (ii) of paragraph (b) of sub-section (7.) the words "Ten pounds" and inserting in their stead the words "Twenty dollars".

Notice of
appeals

15. Section 172 of the Principal Ordinance is amended by omitting from sub-section (3.) the words "Thirty shillings" and inserting in their stead the words "Three dollars".

16. Section 178 of the Principal Ordinance is amended by omitting from sub-section(2.) the words "One Shilling" and inserting in their stead the words "Ten cents".

If costs not paid according to order of Supreme Court, certificate to be granted

17. Section 198 of the Principal Ordinance is amended by omitting the word "Twopence" and inserting in its stead the words "One cent".

What damages may be recovered where plaintiff proved guilty of the offence of which he was convicted, &c.

18. Section 202 of the Principal Ordinance is amended by omitting the words "Twenty-five pounds" and inserting in their stead the words "Fifty dollars".

Penalty for extortion

19. The Second Schedule to the Principal Ordinance is repealed and the following Schedule inserted in its stead:—

Repeal

"SECOND SCHEDULE.

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For every complaint under any Act of the Parliament of the Commonwealth relating to Parliamentary elections ..	0.25
For every other complaint in respect of a simple offence ..	0.50
For every information in respect of an indictable offence ..	0.50
For every summons to, or warrant to apprehend, any defendant, and for every hearing, in any proceeding, under any Act of the Parliament of the Commonwealth relating to Parliamentary elections, each step	0.25
(No fee shall be charged for the conviction or order in any such proceeding, or for any warrant issued to enforce any such conviction or order).	
For every other summons (except a summons to a witness), warrant, hearing, commitment, and conviction, each step ..	0.50
For every recognizance upon appeal to the Supreme Court ..	0.50
For every other recognizance (except a recognizance to appear and prosecute or to appear and give evidence, upon which no fee shall be charged)	1.00
For any order of a Justice or Justices	0.10
For a copy of any proceedings (except in cases of felony, in which no fee shall be chargeable) per folio of 72 words ..	0.05".