



ANNO VICESIMO QUINTO

**ELIZABETHAE II REGINAE**

A.D. 1976

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**No. 64 of 1976**

An Act to amend the Justices Act, 1921-1975.

[Assented to 25th November, 1976]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

- 1. (1) This Act may be cited as the "Justices Act Amendment Act, 1976".
- (2) The Justices Act, 1921-1975, is hereinafter referred to as "the principal Act".
- (3) The principal Act, as amended by this Act, may be cited as the "Justices Act, 1921-1976".

Amendment of principal Act, s. 106—  
Receipt of evidence upon preliminary examination.

- 2. Section 106 of the principal Act is amended by inserting after subsection (6) the following subsections:—

(6a) Where—

(a) the defendant is accused of a sexual offence;

and

(b) the defendant, or his counsel, requests, in pursuance of subsection (6) of this section, that the alleged victim of the sexual offence appear at the hearing for the purpose of oral examination,

he (the alleged victim) shall not be called or summoned to appear at the hearing unless the justice is satisfied that there are special reasons why he should attend for the purpose of oral examination.

(6b) In this section—

"sexual offence" means—

(a) rape;

(b) indecent assault;

(c) any offence involving unlawful sexual intercourse or an act of gross indecency;

(d) incest;

or

(e) any attempt to commit, or assault with intent to commit, any of the foregoing offences.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor