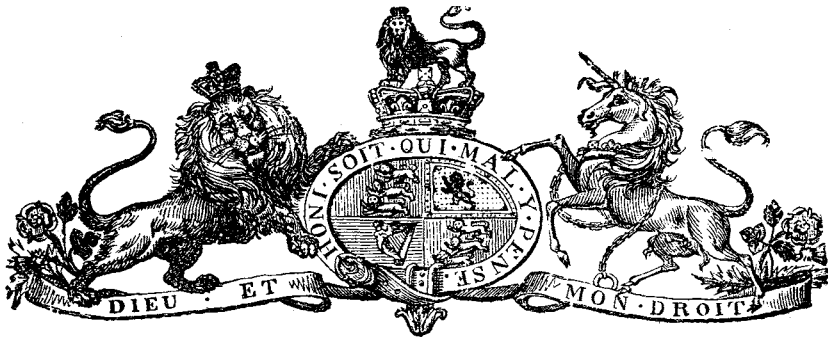


T A S M A N I A.



1899.

ANNO SEXAGESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 27.

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*Amended by Act No. 11*

AN ACT to further amend *The Magistrates Summary Procedure Act.* A.D. 1899.  
[8 December, 1899.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as “The Magistrates Summary Procedure Amendment Act, 1899.” Short title.

2 In this Act, the expression “the said Act” shall mean *The Magistrates Summary Procedure Act.* Interpretation. 19 Vict. No. 8.

3 Section Two hundred and sixty-seven of *The Police Act, 1865*, and Section One hundred and ninety-six of *The Rural Municipalities Act, 1865*, are hereby repealed. Repeal. 29 Vict. No. 10. 29 Vict. No. 8.

4 On and after the First day of *January*, One thousand nine hundred, in each Municipality, all fines and penalties whatsoever imposed upon summary conviction before Justices of the Peace in respect of offences committed within the Municipality, and the fees incidental to summary proceedings before Justices of the Peace in respect of such offences, shall be paid to the Treasurer of the Municipal Council, and shall be carried by him to the account of the Municipal Fund. Appropriation of penalties, &c.

This Section shall not deprive any informer of any moiety or any share of any fine or penalty inflicted for any breach of law relating

*1899*

*Magistrates Summary Procedure Amendment.*

A.D. 1899.

the Consolidated Revenue Fund to which he may be entitled under any law now in force.

This Section shall not deprive the Governor of the power of remitting the whole or any portion of any fine or penalty, or the Municipal Council of the power of remitting the whole or any portion of any fine or penalty payable to the Treasurer of the Municipal Council.

In cases of offences committed within any Police District other than a Rural Municipality, the fines, penalties, and fees shall be paid to the Treasurer on account of the Consolidated Revenue Fund.

41 Vict. No. 17.  
See also  
57 Vict. No. 21.

This Section shall not affect the appropriation of any penalty recovered under "The Cruelty to Animals Act, 1877," or any amendment thereof.

Substitution for  
Section 15.  
19 Vict. No. 8.

**5** Section Fifteen of the said Act is hereby repealed, and in lieu thereof the following shall be and be deemed to be and may be cited as Section Fifteen of the said Act :—

Proof of  
exemption to lie  
upon defendant.

"**15** It shall not be necessary in any information or complaint for the informant or complainant to negative either by allegation or proof any exemption, exception, proviso, condition, excuse, or qualification contained in the law on which the same shall be framed, whether it does or does not accompany in the same Section the description of the offence in the Act by law, regulation, order, or other document creating the offence ; but where any such exemption, exception, proviso, condition, excuse, or qualification shall be relied upon by the defendant, the proof thereof shall lie upon him."

Acts to be read  
together.

**6** This Act and the said Act and every Act altering or amending the same, save as amended by this Act, shall be read and construed together as one and the same Act