NORTHERN TERRITORY OF AUSTRALIA

JUSTICES REGULATIONS

As in force at 3 November 2006

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 3 November 2006

JUSTICES REGULATIONS

Regulations under the *Justices Act*

1 Short title

These Regulations may be cited as the *Justices Regulations*.

2 Forms

The forms to be used under the *Justices Act* shall be in accordance with the forms set out in the Schedule.

3 Strict compliance with forms not necessary

Strict compliance with the forms in the Schedule shall not be required and substantial compliance shall suffice for the purpose of these Regulations.

5 Witnesses' expenses

Where, for the purpose of giving evidence or producing a document in criminal proceedings, a person attends a Court of Summary Jurisdiction in pursuance of, or obedience to, any recognizance or subpoena, or at the request of the prosecution, the sheriff shall pay to the person witness's expenses at the rate, and subject to the conditions, that are, from time to time, prescribed in relation to witnesses' expenses by the Justices of the High Court under section 86 of the *Judiciary Act 1903-1960*.

6 Fees

(1) For the purposes of section 203(c) of the Act, but subject to regulations 8 and 9, the fee to be paid for a matter or thing specified in the following paragraphs, being a matter or thing required to be done under the Act, is the amount specified in that paragraph in respect of that matter or thing:

(a) for the filing of a complaint, information, application or appeal to a Magistrate or Court – $10;

(b) for the issue of a summons, including a summons to witness or summons to produce – $5;

(c) for the service of a summons, application, notice or order – $10;

(d) for the issue or execution of a warrant of distress or commitment to enforce a conviction, order adjudging the payment of a fine or sum of money, or a warrant under section 58, 103 or 105 of the Act:

(i) in respect of its issue – $5; and

(ii) in respect of its execution – $20;

(e) for a copy of a document in a proceedings – $1 per page; and

(f) for a notice of appeal – $10.

(2) A fee referred to in subregulation (1) shall be paid and payable to the clerk.

(3) No fee shall be paid for a matter or thing specified in paragraphs 6(1)(a), (b), (c), (d), (e) or (f) being a matter or thing required to be done under the *Domestic Violence Act*.

7 Matter or thing not to be done unless specified fee paid

Subject to regulations 8 and 9, a matter or thing referred to in regulation 6(1) shall not be done unless the fee specified in that regulation in respect of that matter or thing has been paid to the clerk.

8 Payment of fees where proceedings instituted or taken by certain persons

Where proceedings are instituted or taken under the Act by:

(a) a member of the Police Force in his capacity as such a member; or

(b) an employee, as defined in the *Public Sector Employment and Management Act*, on behalf of the Agency (within the meaning of that Act) in which he or she is employed,

which, but for this regulation, would require the member or employee, as the case may be, to pay a fee specified in regulation 6(1), the fee shall not be paid or payable except by order of the Court and, in which case, the Court shall specify in the order the party required to pay the fee.

9 Fees where service is undertaken by party to proceedings

Where service of a summons, application, notice or order is undertaken by a party to proceedings, the fee specified in regulation 6(1)(c) for such service shall not be paid or payable except by order of the Court and, in which case, the Court shall specify in the order the party required to pay the fee.

14 Limit on amount ordered for costs

(1) Subject to subregulation (2), for the purposes of section 77C of the Act, the amount that the Court may order for costs shall not exceed:

(a) for the first day of a hearing, including preparation of the case for the hearing and counsel fee – $710; and

(b) for the second or a subsequent day of the hearing – $470.

(2) The Court shall have regard to the complexity of a matter before it at the time of the hearing, and may order costs exceeding an amount referred to in subregulation (1) if, in its opinion:

(a) the circumstances of the case; or

(b) the legal issues involved in the case,

are of an exceptional nature.

(3) The Court shall not, in making an order for costs under this regulation, make an allowance for a second counsel or solicitor attending at the hearing.

The Schedule

FORM 1A

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 23

SUMMONS TO A WITNESS TO APPEAR ON COMPLAINT

To: (*name*) of (*address*)

Whereas: *(name)* of *(address)*

has made a complaint against of for that he/she* on the day of , 19 , at in the Northern Territory of Australia, did . *(nature of complaint)*

And whereas I, the undersigned, a Justice of the Peace for the Territory, am satisfied that you are likely to give material evidence upon behalf of the complainant (*or* defendant)*:

You are therefore hereby summoned to appear at in the Territory, on the day of , 19 , at o'clock in the noon, before such Justice or Justices of the Peace for the Territory as shall then be there, to testify what you know concerning the matter of the said complaint.

Dated the day of , 19 .

Justice of the Peace
(*or* Clerk of the Court)*

PROOF OF SERVICE

I, of
(name) *(address)*
make oath and say (*or* affirm)* that I did on the day of 19 , between the hours of and in the noon, at in the Territory, duly serve the within-named with the within summons by delivering a duplicate thereof to him/her* personally [*or* by leaving a duplicate thereof for him/her* at his/her* last (*or* most usual) place of abode (*or* of business)* with some other person apparently an inmate thereof (*or* employed thereat)* and apparently not less than 16 years of age].

Sworn (*or* affirmed)* before me at
the day of , 19 .

Justice of the Peace

*Delete if inapplicable.

FORM 1B

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 23

SUMMONS TO A WITNESS TO PRODUCE DOCUMENTS ON COMPLAINT

To of
(name) *(address)*
Whereas of
(name) *(address)*
has made a complaint against
(name)
of for that he/she
(address)
on the day of , 19 ,
at in the Northern Territory of Australia,
did .
(nature of complaint)

And whereas I, the undersigned, a Justice of the Peace for the Territory, am satisfied that you are likely to have in your possession or power certain articles required for the purposes of evidence upon behalf of the complainant (*or* defendant)*:

You are therefore hereby summoned to appear at in the Territory, on the day of , 19 , at o'clock in the noon, before such Justice or Justices of the Peace for the Territory as shall then be there, to produce the following (*describe precisely the articles to be produced*):

Dated the day of , 19 .

Justice of the Peace
(*or* Clerk of the Court)*

PROOF OF SERVICE

I, of
(name) *(address)*
make oath and say (or affirm)* that I did on the day of 19 , between the hours of and in the noon, at in the Territory, duly serve the within-named with the within summons by delivering a duplicate thereof to him/her* personally [*or* by leaving a duplicate thereof for him/her* at his/her* last (*or* most usual) place of abode (*or* of business)* with some other person apparently an inmate thereof (*or* employed thereat)* and apparently not less than 16 years of age].

Sworn (*or* affirmed)* before me at
the day of , 19 .

Justice of the Peace

*Delete if inapplicable.

FORM 2A

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 23

SUMMONS TO A WITNESS TO APPEAR ON INFORMATION

To of
(name) *(address)*
Whereas of
(name) *(address)*
has laid an information against
(name)
of for that he/she*
(address)
on the day of , 19 ,
at in the Northern Territory of Australia, did .
(nature of information)

And whereas I, the undersigned, a Justice of the Peace for the Northern Territory of Australia, am satisfied that you are likely to give material evidence upon behalf of the informant (*or* defendant)*:

You are therefore hereby summoned to appear at in the Territory, on the day of , 19 , at o'clock in the noon, before such Justice or Justices of the Peace for the Northern Territory of Australia as shall then be there, to testify what you know concerning the matter of the said information.

Dated the day of , 19 ,

Justice of the Peace
(*or* Clerk of the Court)*

PROOF OF SERVICE

I, of
(name) *(address)*
make oath and say (*or* affirm)* that I did on the day of 19 , between the hours of and in the noon, at in the Territory, duly serve the within-named with the within summons by delivering a duplicate thereof to him/her* personally [*or* by leaving a duplicate thereof for him/her* at his/her* last (*or* most usual) place of abode (*or* of business)* with some other person apparently an inmate thereof (*or* employed thereat)* and apparently not less than 16 years of age].

Sworn (*or* affirmed)* before me at

the day of , 19 .

Justice of the Peace

*Delete if inapplicable.

FORM 2B

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 23

SUMMONS TO A WITNESS TO PRODUCE DOCUMENTS ON INFORMATION

To of
(name) *(address)*
Whereas of
(name) *(address)*
has laid an information against
(name)
of for that he/she*
(address)
on the day of , 19 ,
at in the Northern Territory of Australia,
did .
(nature of information)

And whereas I, the undersigned, a Justice of the Peace for the Northern Territory of Australia, am satisfied that you are likely to have in your possession or power certain articles required for the purposes of evidence upon behalf of the informant (*or* defendant)*:

You are therefore hereby summoned to appear at in the Territory, on the day of , 19 , at o'clock in the noon, before such Justice or Justices of the Peace for the Northern Territory of Australia as shall then be there, to produce the following (*describe precisely the articles to be produced*):

Dated the day of , 19 ,

Justice of the Peace
(*or* Clerk of the Court)*

PROOF OF SERVICE

I, of
(name) *(address)*
make oath and say (*or* affirm)* that I did on the day of , 19 , between the hours of and in the noon, at in the Territory, duly serve the within-named with the within summons by delivering a duplicate thereof to him/her* personally [*or* by leaving a duplicate thereof for him/her* at his/her* last (*or* most usual) place of abode (*or* of business)* with some other person apparently an inmate thereof (*or* employed thereat)* and apparently not less than 16 years of age].

Sworn (*or* affirmed)* before me at
the day of , 19 .

Justice of the Peace

*Delete if inapplicable.

FORM 3

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 24

WARRANT FOR APPREHENSION OF A WITNESS WHO HAS NOT OBEYED A SUMMONS

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

of was duly summoned to appear at on day, the day of , 19 , at the hour of o'clock in the noon, before such Justice or Justices of the Peace for the Northern Territory of Australia as should then be there, to testify what he/she knew concerning a certain complaint against of

[*or* (and) to produce books, plans, papers, documents, articles, goods and things likely to be material evidence on the hearing of the charge against the said (and especially)]:

And whereas he/she has neither appeared thereto, nor offered any just excuse for his/her neglect:

And whereas it has been proved to the satisfaction of the undersigned, a Justice of the Peace for the Northern Territory of Australia and (one of) the Justice(s) before whom he/she should have appeared, that the summons was duly served on him/her:

You are therefore hereby commanded to bring him/her before me at forthwith (*or* on day, the day of , 19 , at the hour of o'clock in the noon), or before such other Justice or Justices of the Peace for the Northern Territory of Australia as shall then be there, to testify what he/she knows concerning the said complaint [*or* (and) to produce such books, plans, papers, documents, articles, goods, and things as aforesaid].

Dated the day of 19 , at , in the Northern Territory of Australia.

Justice of the Peace.

ENDORSEMENT

It is directed that the said on arrest be released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each) for his/her appearance before the Justice or Justices within mentioned at the hour of o'clock in the noon of the day of 19 .

Justice of the Peace.

FORM 4

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 24

WARRANT FOR APPREHENSION OF A WITNESS WHO HAS NOT OBEYED A SUMMONS

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

of was duly summoned to appear before the Court of Summary Jurisdiction sitting at on day, the day of , 19 , at the hour of o'clock in the noon, to testify what he/she should know concerning a certain information against of [*or* (and) to produce books, plans, papers, documents, articles, goods and things likely to be material evidence on the hearing of the charge against the said (and especially)]:

And he/she has neither appeared thereto, nor offered any just excuse for his/her neglect:

And it has been proved to the satisfaction of the undersigned, a Justice of the Peace for the Northern Territory of Australia and (one of) the Justices(s) before whom he/she should have appeared, that the summons was duly served on him/her:

You are therefore hereby commanded to bring him/her before me at forthwith (*or* on day, the day of , 19 , at the hour of o'clock in the noon), or before such other Justice or Justices of the Peace for the Northern Territory of Australia as shall then be there, to testify what he/she knows concerning the said information [*or* (and) to produce such books, plans, papers, documents, articles, goods and things as aforesaid].

Dated the day of 19 , at , in the Northern Territory of Australia.

Justice of the Peace.

ENDORSEMENT

It is directed that the said on arrest be released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each) for his/her appearance before the Justice or Justices within mentioned at the hour of o'clock in the noon of the day of , 19 .

Justice of the Peace.

FORM 5

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 25

WARRANT FOR A WITNESS IN THE FIRST INSTANCE

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

Whereas of has made a complaint against of for that he/she on the day of , 19 , at in the Northern Territory of Australia, did .

And whereas I am satisfied by the oath (*or* affirmation) of of , that of is likely to give material evidence (*or* to have in his/her possession or power certain articles required for the purposes of evidence) upon behalf of the complainant (*or* defendant), and that it is probable that he/she will not attend to give evidence or to produce any article without being compelled to do so:

You are therefore hereby commanded to bring him/her before me at on day, the day of ,19 , at the hour of o'clock in the noon, or before such other Justice or Justices of the Peace for the Northern Territory of Australia as shall then be there, to testify what he/she knows concerning the said complaint [*or* (and) to produce such books, plans, papers, documents, articles, goods, and things likely to be material evidence on the hearing of the said complaint (and especially)].

Dated the day of 19 , at , in the Northern Territory of Australia.

Justice of the Peace.

ENDORSEMENT

It is directed that the said on arrest be released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each) for his/her appearance before the Justice or Justices within-mentioned at the hour of o'clock in the noon of the day of 19 .

Justice of the Peace.

FORM 6

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 25

WARRANT FOR A WITNESS IN THE FIRST INSTANCE

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

Whereas of has laid an information against of for that he/she on the day of , 19 , at in the Northern Territory of Australia, did .

And whereas I am satisfied by the oath (*or* affirmation) of of , that of is likely to give material evidence (*or* to have in his/her possession or power certain articles required for the purposes of evidence) upon behalf of the informant (*or* defendant), and that it is probable that he/she will not attend to give evidence or to produce any article without being compelled to do so:

You are therefore hereby commanded to bring him/her before me at on day, the day of ,19 , at the hour of o'clock in the noon, or before such other Justice or Justices of the Peace for the said Territory as shall then be there, to testify what he/she knows concerning the said information [*or* (and) to produce all books, plans, papers, documents, articles, goods, and things likely to be material evidence on the hearing of the said information (and especially)].

Dated the day of 19 , at , in the said Territory.

Justice of the Peace.

ENDORSEMENT

It is directed that the said be released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each) for his/her appearance before the Justice or Justices within-mentioned at the hour of o'clock in the noon of the day of 19 .

Justice of the Peace.

FORM 7

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 26

COMMITMENT OF WITNESS

To , and to each and all of the Constables of the Northern Territory of Australia and to the Keeper of the Gaol at in the Northern Territory of Australia.

Whereas of having appeared (or been brought) before the Court of Summary Jurisdiction sitting at on day, the day of ,19 , as a witness on the hearing of a certain information (complaint) against of refused to take an oath or affirmation [*or* having taken an oath (*or* affirmation) refused to answer any (*or* a certain) question then put to him/her concerning the premises; or (and) to produce books, plans, papers, documents, articles, goods, and things likely to be material evidence on such hearing (and especially)], and did not offer any just excuse for his/her refusal:

You are therefore hereby commanded to convey the said safely to the said Prison and there deliver him/her to the Keeper thereof, together with this warrant; and you, the Keeper of the said Prison, are hereby commanded to receive him/her into your custody and keep him/her (to hard labour) for the space of unless he/she in the meantime consents to be examined concerning the premises [*or* (and) to produce such books, plans, papers, documents, articles, goods and things as aforesaid].

Dated the day of 19 , at , in the said Territory.

Justice of the Peace.

FORM 8

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 33

CERTIFICATE OF ABILITY OF SURETY TO PAY

I, the undersigned, a Justice of the Peace for the Northern Territory of Australia, hereby certify that the bearer of this of

(whose signature is in the margin hereof), has offered himself/herself as surety for of , in the Northern Territory of Australia, and has satisfied me of his/her ability to pay the sum of dollars in the event of the recognizance for the appearance of the said becoming forfeited.

Dated the day of 19 , at , in the said Territory.

Justice of the Peace.

FORM 9

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 34, 76, 83

SECURITY FOR PENALTY, ETC.

of

(hereinafter called the defendant) was this day (*or* on the day of , 19) by a certain finding of guilt (*or* order) by the Court of Summary Jurisdiction sitting at adjudged to pay the sum of (by instalments of for every days, the first instalment to be paid) forthwith (*or* on the day of ,19), and to give security for the due payment thereof:

Now, therefore, the defendant and his/her sureties of , and of , hereby undertake that the defendant will pay the sum adjudged at the time and in the manner thereby directed, and hereby severally acknowledge themselves severally bound to forfeit and pay to the Clerk of the said Court, the sum of in case the defendant fails to perform this undertaking.

Defendant.
Sureties.

Taken and acknowledged before me the day of 19 , at , in the Northern Territory of Australia.

Justice of the Peace.

FORM 10

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 38

CERTIFICATE OF NON-APPEARANCE TO BE ENDORSED ON THE DEFENDANT'S RECOGNIZANCE

I hereby certify that the said has not appeared at the time and place in the said condition mentioned, but therein has made default, by reason whereof the within-written recognizance is forfeited.

Justice of the Peace.

FORM 11

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 34, 40

SECURITY TO PERFORM CONDITION OF FORFEITED RECOGNIZANCE

, of

(hereinafter called the defendant) was by his/her recognizance entered into the day of , 19 , bound in the sum of dollars.

And the said recognizance has been adjudged to be forfeited, but the defendant has applied to the Court of Summary Jurisdiction sitting at to cancel (*or* mitigate) the forfeiture:

Now, therefore, the defendant and his/her sureties, , of , and of , hereby undertake that the condition of the said recognizance shall be duly performed (and that the said shall on or before the day of , 19 , pay the sum of for costs incurred in respect of the said forfeiture); and hereby severally acknowledge themselves severally bound to forfeit and pay to , the Clerk of the said Court, the sum of in case the said defendant fails to perform the condition of the said recognizance.

Defendant.
Sureties.

Taken and acknowledged before me the day of 19 , at , in the Northern Territory of Australia.

Justice of the Peace.

FORM 12

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 46

WARRANT OF COMMITMENT FOR CONTEMPT OF COURT

To , and to each and all of the Constables of the Northern Territory of Australia and to the Keeper of the Common Gaol at

Whereas of (hereinafter called the defendant), was this day duly found guilty before the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, sitting in open Court as a Court of Summary Jurisdiction at in the Northern Territory of Australia, for that on the day of , 19 , at aforesaid, he/she and was so deemed and adjudged by us the said Justices, and we thereupon adjudged the defendant for such offence to be imprisoned in the Common Gaol, at for the space of . These are therefore to command you, the said Constables, to take the defendant and safely convey him/her to the said Common Gaol aforesaid, and there to deliver him/her to the Keeper thereof, together with this warrant; and we do hereby command you, the said Keeper, to receive the defendant into the said Common Gaol and there to keep him/her to hard labour for the space of

Dated the day of 19 , at , in the Northern Territory of Australia.

Justice of the Peace.

FORM 13

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 49

COMPLAINT

Defendant's Address Complainant's Address

The complaint of of

taken this day of , 19 , before the undersigned, a Justice of the Peace for the Northern Territory of Australia, who (upon oath or affirmation) states that of on the day of , 19 , at in the Northern Territory of Australia, did

Taken (and sworn or affirmed) before me, the day and year first above-mentioned at in the said Territory.

Justice of the Peace.

FORM 14

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 22, 57

SUMMONS TO A PERSON ON COMPLAINT

To *of*

Whereas you have this day been charged by of before the undersigned, a Justice of the Peace for the Northern Territory of Australia, for that on the day of , 19 , at , in the Northern Territory of Australia you did

These are therefore, to command you to be and appear on day the day of , 19 , at o'clock in the noon, at in the said Territory before me or such other Justice or Justices of the Peace for the said Territory as may then be there, to answer the said charge, and to be further dealt with according to law.

Dated this day of 19 , at , in the said Territory.

Justice of the Peace.

PROOF OF SERVICE

I, of make oath and say (*or* affirm) that I did on the day of 19 , between the hours of and in the noon, at in the said Territory, duly serve the within-named defendant with the within summons by delivering a duplicate thereof to him/her personally [*or* by leaving a duplicate thereof for him/her at his/her last (*or* most usual) place of abode (*or* of business) with some other person apparently an inmate thereof (*or* employed thereat) and apparently not less than 16 years of age].

Sworn (*or* affirmed) before me at the day of , 19 .

Justice of the Peace.

FORM 15

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 20, 58

WARRANT TO APPREHEND A PERSON ON COMPLAINT

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

Complaint on oath (*or* affirmation) was made this day (*or* on the day of , 19), by of that of (hereunder called the defendant) on the day of , 19 , at in the Northern Territory of Australia did .

You are therefore, hereby commanded to apprehend the defendant and to bring him/her before me at forthwith (*or* on day, the day of , 19 , at the hour of o'clock in the noon), or before some other Justice or Justices of the Peace for the said Territory, to answer the said charge contained in the said complaint, and to be further dealt with according to law.

Dated the day of 19 , at , in the said Territory.

Justice of the Peace.

ENDORSEMENT

It is directed that the defendant on arrest be released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each) for his/her appearance before the Justice or Justices within-mentioned *(to be included where an order is made under section 37A of the Justices Act)*

And the defendant himself/herself on his/her entering into a recognizance in the sum of dollars to comply with *(here insert terms of order made under section 37A of the Justices Act).*

Justice of the Peace.

FORM 16

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 60, 112

WARRANT OF COMMITMENT

To , and to all other Constables of the Northern Territory of Australia and to the Keeper of the Gaol at in the Northern Territory of Australia.

Whereas of
(hereinafter called the defendant) was this day charged before me, the undersigned, a Justice of the Peace for the said Territory, on the oath (or affirmation) of , of
for that on the day of , 19 , at in the said Territory he/she did .

These are therefore to command you, the said Constables, to take the defendant and safely convey him/her to the Gaol at aforesaid, and there deliver him/her to the Keeper thereof, together with this warrant; And I do hereby command you, the said Keeper of the said Gaol, to receive the said defendant into your custody in the said Gaol, and there safely to keep him/her until he/she shall be thence delivered by due course of law.

Dated the day of 19 , at , in the said Territory.

Justice of the Peace.

FORM 17

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 60

WARRANT OF COMMITTAL OR SAFE CUSTODY DURING ADJOURNMENT OF HEARING

To , Constable and to each and all of the Constables and Peace Officers of the Northern Territory of Australia and to the Keeper of the Common Gaol at in the Northern Territory of Australia.

Whereas of (hereinafter called the defendant), was this day brought before the undersigned, a Justice of the Peace for the Northern Territory of Australia, charged for that on the day of , 19 , at in the said Territory he/she did .

And whereas, the hearing of the case being adjourned, it appears to me to be necessary to remand the defendant:

You the said Constables, are therefore hereby commanded to convey the defendant to the said Gaol, and there to deliver him/her to the Keeper thereof, together with this warrant, and you, the Keeper of the said Gaol, are hereby commanded to receive him/her into your custody, and, unless he/she shall have been bailed in the meantime, to keep him/her until the day of , 19 , and on that day to bring him/her up before me at at the hour of o'clock in the noon, or before such Justice or Justices of the Peace as shall then be there, to be further dealt with according to law, unless you the said Keeper shall be otherwise ordered in the meantime.

Dated the day of 19 .

Justice of the Peace.

ENDORSEMENT WHERE BAIL IS ALLOWED

I, the undersigned, the Justice of the Peace within-mentioned, hereby certify that the defendant may be bailed by recognizance himself/herself in dollars and suret in dollars (each), to appear before the Court on day, the day of , 19 , at the hour of o'clock in the noon (and at every time and place to which during the course of the proceedings against the defendant the hearing may be from time to time adjourned) (*to be included where an order is made under section 37A of the Justices Act*)

And the defendant himself/herself on his/her entering into a recognizance in the sum of dollars to comply with (*here insert terms of order made under section 37A of the Justices Act*), and that the defendant has (not) entered into his/her recognizance(s).

Justice of the Peace.

FORM 18

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 30, 60, 114

RECOGNIZANCE OF BAIL INSTEAD OF REMAND ON AN ADJOURNMENT OF EXAMINATION

Be it remembered that, on the day of , 19 , of (hereinafter called the defendant) and of and of personally came before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, and severally acknowledged themselves to owe to Our Sovereign Lord the King the several sums following, that is to say, the defendant the sum of dollars and the said and the said the sum of dollars (each) to be made and levied of their several goods and chattels, lands and tenements, respectively, to the use of Our said Lord the King, if the defendant shall fail in the condition endorsed hereon.

Defendant.
Sureties.

(*the following to be included where an order is made under section 37A of the Justices Act*:)

And the defendant also acknowledged himself/herself to owe as aforesaid the sum of dollars to be made and levied as aforesaid if he/she the defendant shall fail in the further condition endorsed hereon.

Taken and acknowledged the day and year first above-mentioned at in the Northern Territory of Australia, before me.

Justice of the Peace.

CONDITION

The condition of the within-written recognizance is such that whereas the defendant was on the day of , 19 , charged before the Justice of the Peace within-mentioned, for that on the day of , 19 , at in the said Territory, he/she did .

And whereas the examination of the witnesses for the informant (complainant) in this behalf is adjourned until the day of , 19 ; If, therefore, the defendant shall appear before the said Justice at on the said day of , 19 , at o'clock in the noon, or before such other Justice or Justices of the Peace for the Northern Territory of Australia as may then be there (and at every time and place to which, during the course of the proceedings against the defendant, the hearing may be from time to time adjourned) to further answer the said charge, and to be further dealt with according to law, then the said recognizance to be void, or else to stand in full force and virtue.

(*the following is to be included where an order is made under section 37A of the Justices Act*:)

FURTHER CONDITION

The further condition of the within-written recognizance (*or the* further conditions of the within-written recognizance are) such that, if (*here insert terms of order made under section 37A*); then the said recognizance, in so far as the defendant has acknowledged himself/herself to owe the sum of dollars if he/she shall fail in this further condition (*or any* of these further conditions), to be void; or else to stand in full force and virtue.

FORM 19

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 62

WARRANT WHEN THE SUMMONS IS DISOBEYED

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

Whereas complaint (on oath or affirmation) was made this day (or on the day of , 19) by of that of (hereinafter called the defendant), on the day of , 19 , at in the Northern Territory of Australia did .

And whereas the the defendant was thereupon summoned to appear before the Justice or Justices sitting at in the said Territory on day, the day of , 19 , at the hour of o'clock in the noon, to answer the said charge:

And whereas oath (*or* affirmation) has been made that the defendant was duly served with the summons, but did not appear, and that such complaint is true.

You are therefore hereby commanded to apprehend the defendant and to bring him/her before me, the undersigned, a Justice of the Peace for the said Territory at forthwith (*or* on day, the day of , 19 , at the hour of o'clock in the noon), or before some other Justice or Justices of the Peace for the said Territory, to answer the charge contained in the said complaint, and to be further dealt with according to law.

Dated the day of 19 , at in the said Territory.

Justice of the Peace.

ENDORSEMENT

It is directed that the defendant be on arrest released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each), for his/her appearance at before the Justice or Justices within-mentioned (*to be included where an order is made under section 37A of the Justices Act*)

And the defendant himself/herself on his/her entering into a recognizance in the sum of dollars to comply with (*here insert terms of order made under section 37A of the Justices Act*).

Justice of the Peace.

FORM 20

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 66

POSTPONEMENT OF HEARING WHEN NO COMPETENT COURT AVAILABLE

To defendant (*or* witness)

Whereas of

(hereinafter called the complainant), has duly made a complaint that of
(hereinafter called the defendant), did on the day of 19 , at in the Northern Territory of Australia

And whereas you have been duly summoned to appear at at o'clock in the noon before such Justice or Justices of the Peace as should then be there to answer the said complaint (*or* to testify what you should know concerning the matter of the said complaint or to produce certain articles).

[And whereas the hearing of the said complaint has been adjourned (*or* postponed) to day, the day of , 19 , at o'clock in the noon].

And whereas no Justice of the Peace for the Northern Territory of Australia is now present to hear the said complaint.

I, , of , the Clerk of the Court of Summary Jurisdiction at , in the said Territory, do hereby postpone the hearing of the said complaint until day, the day of , 19 , at o'clock in the noon.

Dated the day of 19 , at , in the said Territory.

Clerk of the Court.

FORM 21

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 71, 72, &c.

ORDER OF DISMISSAL OF A COMPLAINT

Be it remembered that, on the day of , 19 , complaint was duly made by of , (hereinafter called the complainant), for that of , (hereinafter called the defendant) did on the day of , 19 , at , in the Northern Territory of Australia,

Now on this day, to wit, on the day of , 19 , at , in the said Territory, we, the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, having heard the said complaint, do dismiss the same, and do order that the complainant do pay to the defendant the sum of for his/her costs incurred by him/her in his defence in this behalf; and if the said sum for costs be not paid forthwith we order that the same be levied by distress and sale of the goods and chattels of the complainant, and in default of sufficiency of distress in that behalf we adjudge the complainant to be imprisoned in the at in the said Territory, for the space of unless the said sum for costs, and all costs and charges of the said distress, shall be sooner paid.

Dated the day of 19 , at , in the said Territory.

Justices of the Peace.

FORM 22

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 71

CERTIFICATE OF DISMISSAL

We hereby certify that a complaint made by of , against of for that on the day of 19 , at in the Northern Territory of Australia, he/she did was this day heard by us, the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, and was by us dismissed.

Dated this day of , 19 .

Justices of the Peace.

FORM 23

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 72, 77, 84, &c.

FINDING OF GUILT FOR A PENALTY TO BE LEVIED BY DISTRESS AND, IN DEFAULT OF SUFFICIENCY OF DISTRESS, BY IMPRISONMENT

Be it remembered that of (hereinafter called the defendant) is found guilty before the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, for that on the day of , 19 , at in the Northern Territory of Australia, he/she did

And we adjudge the defendant for his/her said offence to forfeit and pay the sum of to be paid and applied according to law, and also to pay to of , the complainant, the sum of for his/her costs in this behalf; and if the said several sums be not paid forthwith we order that the same be levied by distress and sale of the goods and chattels of the defendant, and, in default of sufficiency of distress in that behalf, we adjudge that the defendant be imprisoned in the Common Gaol at , in the said Territory, and there kept to hard labour for the space of unless the said several sums and all costs and charges of the said distress shall be sooner paid.

Dated the day of 19 , at , in the said Territory.

Justices of the Peace.

FORM 24

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 72, 77, 85, &c.

FINDING OF GUILT FOR A PENALTY AND IN DEFAULT OF PAYMENT, IMPRISONMENT

Be it remembered that of (hereinafter called the defendant) is found guilty before us, the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, for that on the day of , 19 , at in the Northern Territory of Australia, he/she did

And we adjudge the defendant for his/her said offence to forfeit and pay the sum of , to be paid and applied according to law; and also to pay to , the complainant, the sum of for his/her costs in this behalf; And if the said several sums be not paid forthwith we adjudge the defendant to be imprisoned in the Common Gaol at , in the said Territory, and there to be kept to hard labour for the space of unless the said several sums shall be sooner paid.

Dated the day of 19 , at , in the Northern Territory of Australia.

FORM 25

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 72, &c.

CONVICTION WHEN THE PUNISHMENT IS BY IMPRISONMENT

Be it remembered that of (hereinafter called the defendant) is convicted before us, the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, for that on the day of , 19 , at in the Northern Territory of Australia, he/she did

And we adjudge the defendant for his said offence to be imprisoned in the Common Gaol at , in the said Territory, and there kept to hard labour for the space of

Dated the day of 19 , at , in the said Territory.

Justices of the Peace.

FORM 26

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 72, 77, &c.

ORDER FOR PAYMENT OF MONEY TO BE LEVIED BY DISTRESS AND, IN DEFAULT OF DISTRESS, IMPRISONMENT

Be it remembered that, on the day of , 19 , complaint was duly made by , of , (hereinafter called the complainant), for that of , (hereinafter called the defendant), did on the day of , 19 , at in the Northern Territory of Australia,

Now on this day, to wit, on the day of , 19 , at , in the said Territory, we, the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, having heard the matter of the said complaint, do adjudge the defendant do pay the sum of , and also to pay to the complainant the sum of for his/her costs in this behalf, and if the said several sums be not paid forthwith we do order that the same be levied by distress and sale of the goods and chattels of the defendant, and in default of sufficiency of distress in that behalf we adjudge the defendant to be imprisoned in the at in the said Territory for the space of , unless the said several sums, and all costs and charges of the said distress, shall be sooner paid.

Dated the day of 19 , at , in the said Territory.

Justices of the Peace.

FORM 27

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 72, 77, &c.

ORDER FOR PAYMENT OF MONEY AND, IN DEFAULT OF PAYMENT, IMPRISONMENT

Be it remembered that, on the day of , 19 , complaint was duly made by , of , (hereinafter called the complainant), for that of , (hereinafter called the defendant), did on the day of , 19 , at

in the Northern Territory of Australia,

Now on this day, to wit, on the day of , 19 , at , in the said Territory, we, the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, having heard the matter of the said complaint, do adjudge the defendant do pay the sum of , and also to pay to the complainant the sum of for his costs in this behalf, and if the said several sums be not paid forthwith we adjudge the said defendant to be imprisoned in the
at in the said Territory for the space of , unless the said several sums shall be sooner paid.

Dated the day of 19 , at , in the said Territory.

Justices of the Peace.

FORM 28

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 72, 77, &c.

ORDER FOR ANY MATTER WHERE THE DISOBEYING OF IT IS PUNISHABLE WITH IMPRISONMENT

Be it remembered that, on the day of , 19 , complaint was duly made by , of , (hereinafter called the complainant), for that of , (hereinafter called the defendant), did on the day of , 19 , at in the Northern Territory of Australia,

Now on this day, to wit, on the day of , 19 , at , in the said Territory, we, the undersigned, 2 Justices of the Peace for the Northern Territory of Australia, having heard the matter of the said complaint, do adjudge the defendant to (*here set out adjudication shortly*) and if upon a copy of a minute of this order being served upon the defendant, either personally or by leaving the same for him at his last or most usual place of abode, he shall neglect or refuse to obey the same, in that case we adjudge the defendant for such disobedience to be imprisoned in the at for the space of , and we do also adjudge the defendant to pay to the complainant the sum of for his costs in this behalf; and if the said sum for costs be not paid forthwith we order the same to be levied by distress and sale of the goods and chattels of the defendant unless the said sum and costs shall be sooner paid.

Dated the day of 19 , at , in the said Territory.

Justices of the Peace.

FORM 38

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 101

INFORMATION FOR AN INDICTABLE OFFENCE

Defendant's Address:
Informant's Address:

The information of of
taken this day of , 19 , before the undersigned, a Justice of the Peace for the Northern Territory of Australia, who (upon oath or affirmation) states that of on the day of , 19 , at in the Northern Territory of Australia, did

Taken (and sworn or affirmed) before me, the day and year first above-mentioned at in the said Territory.

Justice of the Peace.

FORM 39

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 20, 103

WARRANT TO APPREHEND A PERSON CHARGED WITH AN INDICTABLE OFFENCE

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

Information on oath (*or* affirmation) was laid this day (*or* on the day of , 19) by of that of

(hereinafter called the defendant), on the day of , 19 , at in the Northern Territory of Australia did

You are therefore hereby commanded to apprehend the defendant and to bring him/her before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, at forthwith (*or* on day, the day of , 19 , at the hour of o'clock in the noon), or before such other Justice or Justices of the Peace for the Northern Territory of Australia, to answer the said charge contained in the said information, and to be further dealt with according to law.

Dated the day of 19 , at in the said Territory.

Justice of the Peace.

ENDORSEMENT

It is directed that the defendant on arrest be released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each), for his/her appearance before the Justice or Justices within-mentioned (*to be included where an order is made under section 37A of the Justices Act*)

And the defendant himself/herself on his/her entering into a recognizance in the sum of dollars to comply with (*here insert terms of order made under section 37 of the Justices Act*).

Justice of the Peace.

FORM 40

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 22, 104

SUMMONS TO A PERSON CHARGED WITH AN INDICTABLE OFFENCE

To *of*

Whereas you have this day been charged by
of before the undersigned, a Justice of the Peace for the Northern Territory of Australia, for that on the day of 19 ,
at in the Northern Territory of Australia you did

These are therefore to command you to be and appear on day the day of , 19 , at o'clock in the noon,
at in the said Territory before me or such other Justice or Justices of the Peace for the Northern Territory of Australia, as may then be there, to answer the said charge, and to be further dealt with according to law.

Dated this day of 19 , at , in the said Territory.

Justice of the Peace.

PROOF OF SERVICE

I, of
make oath and say (*or* affirm) that I did on the day of 19 ,
between the hours of and o'clock in the noon, at
in the said Territory, duly serve the within-named defendant with the within summons by delivering a duplicate to him/her personally [or by leaving a duplicate thereof for him/her at his/her last (*or* most usual) place of abode (*or* of business) with some other person apparently an inmate thereof (*or* employed thereat) and apparently not less than 16 years of age].

Sworn (*or* affirmed) before me at
the day of 19 .

Justice of the Peace.

FORM 41

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 105

WARRANT WHEN A SUMMONS IS DISOBEYED

To , and to each and all of the Constables and Peace Officers of the Northern Territory of Australia.

Whereas information (on oath or affirmation) was laid this day (*or* on the day of , 19) by of that of (hereinafter called the defendant), on the day of , 19 , at in the Northern Territory of Australia, did

And whereas the defendant was thereupon summoned to appear before the Justice or Justices sitting at in the said Territory on day, the day of 19 , at the hour of o'clock in the noon to answer the said charge:

And whereas oath (*or* affirmation) has been made that the defendant was duly served with the summons, but did not appear, and that such information is true.

You are therefore hereby commanded to apprehend the defendant and to bring him before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, at forthwith (*or* on day, the day of , 19 , at the hour of o'clock in the noon), or before such other Justice or Justices of the Peace for the Northern Territory of Australia, to answer the charge contained in the said information, and to be further dealt with according to law.

Dated the day of 19 , at , in the said Territory.

Justice of the Peace.

ENDORSEMENT

It is directed that the defendant be on arrest released on bail on his/her entering into a recognizance in the sum of dollars with suret in the sum of dollars (each), for his/her appearance at before the Justice or Justices within-mentioned (*to be included where an order is made under section 37A of the Justices Act*)

And the defendant himself/herself on his/her entering into a recognizance in the sum of dollars to comply with (*here insert terms of order made under section 37 of the Justices Act*).

Justice of the Peace.

FORM 42

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 106, 108

DEPOSITION OF WITNESS

The examination of taken on oath (*or* affirmation) this day of , 19 , before the undersigned, a Justice (*or* Justices) of the Peace for the Northern Territory of Australia in the presence and hearing of of charged this day before me, the said Justice (*or* us, the said Justices), for that he/she did on the day of , 19 , at in the Northern Territory of Australia,

Dated the day of 19 , at , in the said Territory.

Justice(s) of the Peace.

FORM 43

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 110

STATEMENT OF DEFENDANT

of (hereinafter called the defendant) stands charged before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, for that on the day of , 19 , at in the Northern Territory of Australia, he did

And the said charge having been read to the defendant, and the witnesses for the prosecution having been severally examined in his presence, the defendant is now addressed by me, as follows:

Having heard the evidence for the prosecution, do you wish to be sworn and give evidence on your own behalf, or do you desire to say anything in answer to the charge? You are not obliged to be sworn, nor are you required to say anything, unless you desire to do so; but whatever evidence you may give upon oath, or anything you may say, will be taken down in writing, and may be given in evidence upon your trial. You are clearly to understand that you have nothing to hope from any promise of favour, and nothing to fear from any threat, which may have been held out to you to induce you to make any admission or confession of your guilt; but that whatever you now say may be given in evidence upon your ***trial, notwithstanding any such promise or threat.*** Whereupon the defendant made the following statement:

Dated this day of 19 , at , in the said Territory.

Justice of the Peace.

FORM 44

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 113, 124

WARRANT REMANDING A PERSON CHARGED WITH AN INDICTABLE OFFENCE

To and to each and all of the Constables of the Northern Territory of Australia and to the Keeper of the in the Northern Territory of Australia.

Whereas of (hereinafter called the defendant) was this day brought before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, upon an information charging him/her for that on the day of , 19 , at in the Northern Territory of Australia, he/she did

And whereas it appears to me to be necessary to remand the defendant:

You, the said Constables, are therefore hereby commanded to convey the defendant to the said Prison and there to deliver him/her to the Keeper thereof, together with this warrant, and you, the Keeper of the said Prison, are hereby commanded to receive him/her into your custody, and, unless he/she shall have been bailed in the meantime, to keep him/her until the day of , 19 , and on that day to have him/her at , at the hour of o'clock in the noon, before me or before such other Justice or Justices of the Peace for the Northern Territory of Australia as may then be there, to be further dealt with according to law, unless you, the said Keeper, shall be otherwise ordered in the meantime.

Dated the day of 19 , at , in the said Territory.

Justice of the Peace.

ENDORSEMENT WHERE BAIL IS ALLOWED

I hereby certify that the defendant may be bailed by recognizance himself/herself in dollars and suret in dollars (each), to appear before the Justice or Justices within-mentioned on day, the day of , 19 , at the hour of o'clock in the noon (and at every time and place to which during the course of the proceedings against the defendant the hearing may be from time to time adjourned) (*to be included where an order is made under section 37A of the Justices Act*)

And the defendant himself/herself on his/her entering into a recognizance in the sum of dollars to comply with (*here insert terms of order made under section 37A of the Justices Act*), and that the defendant has (not) entered into his/her recognizance(s).

Justice of the Peace.

FORM 45

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 114, &c.

NOTICE OF RECOGNIZANCE TO BE GIVEN TO THE DEFENDANT AND HIS SURETIES

Take notice that you, of (hereinafter called the defendant) are bound in the sum of dollars and your sureties of and of in the sum of dollars (each) that you the defendant appear before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, on day the day of , 19 , at o'clock in the noon, at

or before such other Justice or Justices of the Peace for the Northern Territory of Australia as may then be there (and at every time and place to which during the course of the proceedings against the defendant, the hearing may be from time to time adjourned), to answer further to the charge made against you by and to be further dealt with according to law; and unless you, the defendant, personally appear accordingly, the recognizances entered into by yourself and your sureties will be forthwith levied on you and them.

(*The following is to be included where an order is made under section 37A of the Justices Act*:)

And take notice that you, the defendant, are bound in the sum of dollars, that you, the defendant, (*here insert terms of order made under section 37A*); and, unless you comply with that condition (*or* these conditions), the recognizance entered into by you in so far as you have acknowledged yourself to owe the sum of dollars if you shall fail so to comply will be forthwith levied on you.

Dated the day of 19 , at in the said Territory.

Justice of the Peace.

FORM 46

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 117

RECOGNIZANCE TO GIVE EVIDENCE

Be it remembered that on the day of 19 , personally came before me, a Justice of the Peace for the Northern Territory of Australia and acknowledged themselves to owe to Our Sovereign Lord the King the sum of dollars each, to be made and levied of their several goods and chattels, lands and tenements, to the use of Our said Sovereign Lord the King if they shall fail in the condition endorsed thereon.

Taken and acknowledged the day and year first above-mentioned, at in the Northern Territory of Australia, before me,

Justice of the Peace.

CONDITION TO GIVE EVIDENCE

The condition of the within-written recognizance is such, that whereas of , in the said Territory (hereinafter called the defendant), was this day charged before the Justice of the Peace within-mentioned, for that on the day of , 19 , at in the said Territory he/she did

If, therefore, they the said

shall appear at the next Court of Oyer and Terminer and General Gaol Delivery, to be held at in the said Territory, or shall appear at such other place as may hereafter be ordered by a Judge of the Supreme Court, and there give such evidence as they know upon an information to be then and there preferred against the defendant for the offence aforesaid, then the said recognizance to be void, or else to stand in full force and virtue.

FORM 47

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 117

NOTICE OF RECOGNIZANCE TO BE GIVEN TO THE WITNESSES

To of
Take notice that you are bound in the sum of dollars to appear at the next Court of Oyer and Terminer and General Gaol Delivery to be held at in the Northern Territory of Australia, and then and there give evidence against (*or* on behalf of) of :
And unless you then appear there, and give evidence accordingly, the recognizance entered into by you will be forthwith levied on you.

Dated this day of 19 .

Justice of the Peace.

FORM 48

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 125

WARRANT OF COMMITMENT ON A CONVICTION OF AN INFORMATION WHERE THE PUNISHMENT IS BY IMPRISONMENT

To , and to each and all of the Constables of the Northern Territory of Australia and to the Keeper of the Goal at in the Northern Territory of Australia.

Whereas of in the said Territory (hereinafter called the defendant) was this day at in the said Territory charged before us, the undersigned and , Esquires, 2 Justices of the Peace for the Northern Territory of Australia, for that the defendant on the day of 19 , at in the said Territory did

And the defendant having consented to our deciding on the charge summarily was convicted before us of the said charge; And it was adjudged that the defendant for his/her said offence should be imprisoned and kept to hard labour in the Gaol at , in the said Territory for the space of :

These are therefore to command you, the said Constables, to take the defendant and him/her safely convey to the Gaol aforesaid, and there to deliver him/her to the Keeper thereof, together with this warrant; And we do hereby command you, the said Keeper of the said Gaol, to receive the defendant into your custody in the said Gaol and there to imprison him/her and keep him/her for the space of

Dated this day of 19 , at in the said Territory.

Justice of the Peace.

FORM 49

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 128, 131

ORDER DISMISSING A CHARGE OF A MINOR INDICTABLE OFFENCE

Be it remembered that, on the day of

19 , of (hereinafter called the defendant) was charged before me, the undersigned, a Special Magistrate (*or* before us, the undersigned, 2 Justices of the Peace) for the Northern Territory of Australia for that on the day of 19 , at in the Northern Territory of Australia, he/she did

And I (we) having summarily adjudicated thereon, dismissed the said charge.

Dated this day of 19 , at in the said Territory.

Special Magistrate
(*or* Justices of the Peace).

FORM 50

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 128

CERTIFICATE OF DISMISSAL OF A CHARGE OF A MINOR INDICTABLE OFFENCE

I, the undersigned, a Special Magistrate (*or* We, the undersigned, 2 Justices of the Peace) for the Northern Territory of Australia, hereby certify that on the day of 19 , at , in the Northern Territory of Australia, of (hereinafter called the defendant) was charged before me (*or* us) for that on the day of 19 , at in the said Territory, he/she did

and I (*or* we), having summarily adjudicated thereon, dismissed the said charge.

Dated this day of 19 , at , in the said Territory.

Special Magistrate
(*or* Justices of the Peace).

FORM 51

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 129, 131

CONVICTION FOR A MINOR INDICTABLE OFFENCE

Be it remembered that of
(hereinafter called the defendant) being charged before me, the undersigned, a Special Magistrate (*or* before us, the undersigned, 2 Justices of the Peace) for the Northern Territory of Australia, is convicted before me (*or* us) for that on the day of 19 , at ,
in the Northern Territory of Australia, he/she did

And I (*or* we) adjudge the defendant for such offence to be imprisoned in the Gaol at in the said Territory, for the space of

Dated this day of 19 , at in the said Territory.

Special Magistrate
(*or* Justices of the Peace).

FORM 52

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 136, 140

WARRANT OF COMMITTAL FOR SENTENCE

To , and to each and all of the Constables of the Northern Territory of Australia, and to the Keeper of the Gaol at in the Northern Territory of Australia.

Whereas of (hereinafter called the defendant) was this day charged before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, on the oath (*or* affirmation) of of for that on the day of 19 , at in the said Territory, he/she did

And whereas the defendant has pleaded guilty to the said charge:

These are, therefore, to command you, the said Constables, to take the defendant and him/her safely convey to the Gaol aforesaid, and there to deliver him/her to the Keeper thereof, together with this warrant: And I do hereby command you, the said Keeper of the said Gaol, to receive the defendant into your custody in the said Gaol to appear for sentence before the next Court of Oyer and Terminer or General Gaol Delivery, to be held at in the said Territory, or at such other place as may hereafter be ordered by a Judge of the Supreme Court, and in the meantime to safely keep him/her in such Gaol.

Dated this day of 19 , at in the said Territory.

Justice of the Peace.

FORM 53

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 136

COMMITTAL FOR SENTENCE

of (hereinafter called the defendant) stands charged before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, for that on day of , 19 , at in the Northern Territory of Australia, he did

and the examination of all the witnesses on the part of the prosecution having been completed and thereupon the defendant being asked by me whether he wishes to plead to the said charge and the defendant signifying a desire to do so, and the said charge being read to him, and I having said to him, "Are you guilty or not guilty of the offence with which you are charged?" the defendant thereupon pleads guilty, and now I do in manner provided by the *Justices Act*, and in pursuance of the said Act, admit the defendant to bail (*or* commit the defendant to the Gaol at , in the said Territory) to appear for the sentence before the next Court of Oyer and Terminer and General Gaol Delivery, to be held at in the said Territory, or at such other place as may hereafter be ordered by a Judge of the Supreme Court.

Dated the day of 19 , at in the said Territory.

Justice of the Peace.

FORM 58

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 153

DEPOSITION OF WITNESS DANGEROUSLY ILL AND NOT LIKELY TO RECOVER

The examination and deposition of

of (hereinafter called ***the witness***) taken on oath (*or* affirmation) this day of 19 , at in the Northern Territory of Australia, before the undersigned, a Justice of the Peace for the Northern Territory of Australia, it having been made to appear to my satisfaction that the witness is dangerously ill and is, in the opinion of of , in the said Territory, a legally qualified medical practitioner, not likely to recover from such illness, and that the witness is able and willing to give material information relating to a certain indictable offence, namely, the offence of (*or* relating to of , who is accused of a certain indictable offence, namely, the offence of and that it is not practicable for any Justice of the Peace for the Northern Territory of Australia to take the deposition of the witness at the preliminary examination of such person so accused).

The witness on his/her oath (affirmation) says as follows:

The above deposition of the witness was taken and sworn before me at in the said Territory, on the day and year first above-mentioned, the following persons being present at the taking thereof:

Justice of the Peace.

FORM 59

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 154, 155

NOTICE OF INTENTION TO TAKE DEPOSITION OF WITNESS DANGEROUSLY ILL AND NOT LIKELY TO RECOVER

To of

I, of
hereby give you notice that Esquire, a Justice of the Peace for the Northern Territory of Australia, intends on day the day of , 19 , at , in the Northern Territory of Australia, to take the statement of of ,who is dangerously ill and is, in the opinion of a certain legally qualified medical practitioner, not likely to recover from such illness, and who is alleged to be able and willing to give material information relating to a certain indictable offence, namely, the offence of (*or* relating to you being a person accused of a certain indictable offence, namely, the offence of , it not being practicable for any Justice to take the statement of the said at the preliminary examination of you the said accused).

Dated this day of 19 .

FORM 60

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 155

ORDER TO CONVEY A PRISONER TO PLACE OF TAKING DEPOSITION OF A WITNESS DANGEROUSLY ILL

To the Keeper of the Gaol at in the Northern Territory of Australia.

Whereas it appears to me the undersigned, a Justice of the Peace for the Northern Territory of Australia, that now in your custody (under my commitment) has duly served (*or* has received from) a notice pursuant to the *Justices Act*, that a certain Justice of the Peace for the said Territory intends [As in Form 59]

Now I, the undersigned, the said committing Justice (*or* one of the visiting Justices of the said Gaol) do hereby, by virtue of the said Act direct you to convey the said to the place mentioned in the said notice, for the purpose of being present at the taking of the statement of the said

Dated the day of , 19 .

Justice of the Peace.

FORM 61

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

section 162

SPECIAL CASE STATED BY COURT OF SUMMARY JURISDICTION

In the Court of Summary Jurisdiction at

Between informant
(*or* complainant) and defendant.

Special case stated by me (*or* us) the undersigned,
a Special Magistrate (*or* 2 Justices of the Peace) for the Northern Territory of Australia reserving questions of law for the consideration of the Supreme Court of the Northern Territory, pursuant to section 162 of the *Justices Act.*

I. The above-named informant laid an information (*or* complainant made a complaint) against the above-named defendant for that the said defendant did on the day of , 19 , at , in the Northern Territory of Australia.

II. The said information (*or* complaint) came on for hearing before me (*or* us) on the day of , 19 , and the result of such hearing was as follows:

III. At the said hearing the following facts were either proved, or admitted by the parties:

1.

2.

3.

4.

5.

6.

IV. Upon these facts I (*or* we) found that

V. On the part of the informant (*or* complainant) it was contended that

VI. On the part of the defendant it was contended that

VII. I (*or* we) were of opinion in point of law that

VIII. The question of law upon which this case is stated for the opinion of the Supreme Court is whether

IX. For the information of the Supreme Court a copy of the evidence taken upon the hearing of the said information (*or* complaint) is attached hereto.

Dated the day of 19 , at in the said Territory.

Special Magistrate
(*or* Justices of the Peace).

FORM 62

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 167, 171

RECOGNIZANCE TO PROSECUTE APPEAL

Be it remembered that, on the day of 19 , of (hereinafter called the appellant) and of and of , personally came before me the undersigned, a Justice of the Peace for the Northern Territory of Australia, and severally acknowledged themselves to owe to Our Sovereign Lord the King the sum of dollars to be made and levied of their goods and chattels to the use of our said Lord the King if the appellant shall fail in the condition hereunder written.

Defendant.

Sureties.

(*the following to be included where an order is made under section 37A of the Justices Act*:)

And the defendant also acknowledged himself/herself to owe as aforesaid the sum of dollars to be made and levied as aforesaid if he/she the defendant shall fail in the further condition endorsed hereon.

Taken and acknowledged the day and year first above-mentioned at in the Northern Territory of Australia, before me,

Justice of the Peace.

CONDITION

The condition of the within-written recognizance is such that

Whereas on the day of , 19 , an information was laid (*or* complaint was made) by of against of

And whereas the said information (*or* complaint) was heard by the Court of Summary Jurisdiction at on the day of 19 .

And the said Court [*Here set out result of hearing*.]

And whereas the appellant, being dissatisfied with the said determination, has appealed to the Supreme Court of the Northern Territory against the same; if therefore the appellant shall duly prosecute without delay such his appeal and submit to the judgment of the said Court thereon, and pay such costs as may be awarded by the Court, then this recognizance to be void, or else to stand in full force and virtue (*the following is to be included where an order is made under section 37A of the Justices Act*:)

FURTHER CONDITION

The further condition of the within-written recognizance (*or* the further conditions of the within-written recognizance are) such that, if (*here insert terms of order made under section 37A*); then the said recognizance, in so far as the defendant has acknowledged himself/herself to owe the sum of dollars if he/she shall fail in this further condition (*or* any of these further conditions), to be void; or else to stand in full force and virtue.

FORM 62A

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 167, 168 and 171

RECOGNIZANCE TO PROSECUTE APPEAL WHEREAPPELLANT IS IN CUSTODY

Be it remembered that, on the day of 19 , , of (hereinafter called the appellant) and of , and of personally came before me, the undersigned, a Justice of the Peace for the Northern Territory of Australia, and severally acknowledged themselves to owe to our Sovereign Lady the Queen the sum of dollars to be made and levied of their goods and chattels to the use of our said Lady the Queen if the appellant shall fail in the conditions hereunder written.

Defendant.

Sureties.

(*the following to be included where an order is made under section 37A of the Justices Act*:)

And the defendant also acknowledged himself/herself to owe as aforesaid the sum of dollars to be made and levied as aforesaid if he/she the defendant shall fail in the further condition endorsed hereon.

Taken and acknowledged the day and year first above-mentioned at in the Northern Territory of Australia, before me,

Justice of the Peace.

CONDITION

The conditions of the within-written recognizance are such that whereas on the day of , 19 ,
by
of against
of and whereas the said
was heard by the Court of Summary Jurisdiction at
on the day of 19 ,
and the said Court [*Here set out result of hearing*]

And whereas the appellant, being dissatisfied with the said determination, has appealed to the Supreme Court of the Northern Territory of Australia against the same; if therefore the appellant shall duly prosecute without delay such his appeal and submit to the judgment of the said Court thereon, and pay such costs as may be awarded by the Court, and if the appellant shall appeal before the Justice or Justices whose decision is appealed against or before some other Justice or Justices, within 14 days after the decision of the appeal, to abide the result of that decision, unless the finding of guilt or order is reversed, then this recognizance to be void, or else to stand in full force and virtue. (*the following is to be included where an order is made under section 37A of the Justices Act*:)

FURTHER CONDITION

The further condition of the within-written recognizance (*or* the further conditions of the within-written recognizance are) such that, if (*here insert terms of order made under section 37A*); then the said recognizance, in so far as the defendant has acknowledged himself/herself to owe the sum of dollars if he/she shall fail in this further condition (*or* any of these further conditions), to be void; or else to stand in full force and virtue.

FORM 63

NORTHERN TERRITORY OF AUSTRALIA

Justices Act

sections 171, 172

NOTICE OF APPEAL

In the matter of a conviction, finding of guilt (*or* order or adjudication) made on the day of , 19 , by the Court of Summary Jurisdiction at , in the Northern Territory of Australia, on the hearing of a certain information (*or* complaint) wherein , of , was informant (*or* complainant), and , of , as defendant.

To and Justices of the Peace for the Northern Territory of Australia and to the Clerk of the Court of Summary Jurisdiction at and to the above-named

Take notice that of

intends to institute and duly prosecute an appeal and hereby appeals to the Supreme Court of the Northern Territory against a certain conviction, finding of guilt (*or* order or adjudication) made on the day of , 19 , by you the said Justices, sitting as a Court of Summary Jurisdiction at in the said Territory whereby you [*Here set out the conviction, finding of guilt or order or adjudication*]

And take notice that the appellant intends to institute and duly prosecute the appeal at the sittings of that Supreme Court which will, in accordance with the rules of that Supreme Court, if practicable commence at Darwin [or Alice Springs] on a day which is the first day after the expiration of 21 days from the service of this notice on which sittings of that Supreme Court for hearing appeals under the *Justices Act* have been set down to commence.

And take notice that the grounds of such appeal are

Dated this day of , 19 .

Appellant.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Justices Regulations* (SL No. –, 1929)**

Notified	18 April 1929
Commenced	1 August 1929 (*Cth Gaz*, 18 April 1929)

***Amendment of the Justices Regulations* (SL No. –, 1939)**

Notified	1 September 1939
Commenced	1 September 1939

***Amendment of the Justices Regulations* (SL No. 7, 1959)**

Notified	30 December 1959
Commenced	30 December 1959

***Amendments of the Justices Regulations* (SL No. 9, 1959)**

Notified	11 December 1959
Commenced	11 December 1959

***Amendments of the Justices Regulations* (SL No. 10, 1963)**

Notified	3 June 1963
Commenced	3 June 1963

***Amendments of the Justices Regulations* (SL No. 4, 1965)**

Notified	21 April 1965
Commenced	21 April 1965

***Ordinances Revision Ordinance 1973* (Act No. 87, 1973)**

Assent date	11 December 1973
Commenced	11 December 1973

***Amendments of the Justices Regulations* (SL No. 4, 1974)**

Notified	28 March 1974
Commenced	16 May 1974 (r 1, s 3 *Justices Ordinance (No. 3) 1973* (Act No. 86, 1973) and *Gaz* No. 20, 16 May 1974, p 239)

***Amendment of the Justices Regulations* (SL No. 23, 1984)**

Notified	30 May 1984
Commenced	30 May 1984

***Amendment of the Justices Regulations* (SL No. 46, 1984)**

Notified	22 August 1984
Commenced	5 September 1984 (r 1)

***Amendment of the Justices Regulations* (SL No. 21, 1989)**

Notified	9 August 1989
Commenced	30 October 1989 (r 1, s 2 *Justices Amendment Act 1989* (Act No. 7, 1989) and *Gaz* S61, 27 October 1989)

***Amendments of Justices Regulations* (SL No. 52, 1991)**

Notified	1 November 1991
Commenced	1 January 1992 (r 1, s 2 *Justices Amendment Act 1991* (Act No. 40, 1991) and *Gaz* S58, 1 November 1991)

***Amendments of Justices Regulations* (SL No. 73, 1991)**

Notified	20 December 1991
Commenced	1 January 1992 (r 1) [rep Act No. 46, 1992, s 12(2)]

***Statute Law Revision Act 1992* (Act No. 46, 1992)**

Assent date	7 September 1992
Commenced	7 September 1992

***Public Sector Employment and Management (Consequential Amendments) Act 1993 (*Act No. 28, 1993)**

Assent date	30 June 1993
Commenced	1 July 1993 (s 2, s 2 *Public Sector Employment and Management Act 1993* (Act No. 11, 1993) and *Gaz* S53, 29 June 1993)

***Amendments of Justices Regulations* (SL No. 9, 1994)**

Notified	13 April 1994
Commenced	13 April 1994

***Amendment of Justices Regulations* (SL No. 22, 1996)**

Notified	12 June 1996
Commenced	12 June 1996

***Fines and Penalties (Recovery) (Consequential Amendments) Act 2001* (Act No. 60, 2001)**

Assent date	11 December 2001
Commenced	1 January 2002 (s 2, s 2 *Fines and Penalties (Recovery) Act 2001* (Act No. 59, 2001) and *Gaz* G50, 19 December 2001, p 3)

***Evidence and Other Legislation (Witness Assistance) Amendment Act 2006* (Act No. 32, 2006)**

Assent date	3 November 2006
Commenced	3 November 2006

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the list of amendments to this reprint) are made by section 11 of the *Ordinances Revision Ordinance 1973* (Act No. 87, 1973) (as amended) to the following provisions: rr 2, 3, 4, 5 and Sch

4 LIST OF AMENDMENTS

r 4	ins No. 9, 1959, r 1 rep Act No. 46, 1992, s 12(1)
r 5	ins No. 10, 1963, r 1 amd No. 4, 1965, r 1
r 6	ins No. 23, 1984 amd No. 9, 1994, r 1
r 7	ins No. 23, 1984
r 8	ins No. 23, 1984 amd Act No. 28, 1993, s 3(2)
r 9	ins No. 23, 1984
rr 10 – 13	ins No. 21, 1989, r 2 rep No. 9, 1994, r 2
r 14	ins Act No. 46, 1992, s 12(3)
sch	amd No. – , 1939, rr 1, 2, 3 and 4; No. 7, 1959; No. 9, 1959, r 2; No. 10, 1963, r 2; No. 4, 1965, r 2; No. 4, 1974, rr 3, 4 and 5; No. 46, 1984, r 2; No. 21, 1989, r 3; No. 52, 1991, r 2; No. 9, 1994, r 3; No. 22, 1996; Act No. 60, 2001, s 19; Act No. 32, 2006, s 13