



# NORTHERN TERRITORY OF AUSTRALIA

No. 66 of 1983

## AN ACT

To amend the *Justices Act*

[Assented to 28 November 1983]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Justices (Criminal Code) Amendment Act 1983*.

2. COMMENCEMENT

This Act shall come into operation on the commencement of the *Criminal Code Act 1983*.

3. PRINCIPAL ACT

The *Justices Act* is in this Act referred to as the Principal Act.

4. REPEAL AND SUBSTITUTION

Sections 120 and 121 of the Principal Act are repealed and the following substituted:

"120. MINOR OFFENCES

"Subject to this Act, the Court constituted by a Magistrate or by 2 or more Justices has jurisdiction to hear and determine in a summary manner a charge in respect of an offence against section 210, 219, 221, 224, 227 or 229 of the Criminal Code, or an attempt to commit such an offence, where the value of the property involved does not exceed -

- (a) in the case of the Court constituted by a Special Magistrate - \$400; and

*Justices (Criminal Code) Amendment*

(b) in the case of the Court constituted by 2 or more Justices - \$10."

5. APPLICATION OF CERTAIN PROVISIONS OF CRIMINAL CODE TO MINOR OFFENCES

Section 130A of the Principal Act is amended by omitting all words before "shall apply" and substituting "Sections 322, 324, 326 and 329 of the Criminal Code".

6. POWER OF COURT TO ORDER DELIVERY OF PROPERTY

Section 130B(1) of the Principal Act is amended by omitting paragraph (a) and substituting the following:

"(a) has come into the custody or possession of a member of the Police Force in connection with a charge or prosecution under a law in force in the Territory or otherwise in the course of his duty; or".

7. REPEAL AND SUBSTITUTION

Sections 131A to 131E inclusive of the Principal Act are repealed and the following substituted:

"131A. SUMMARY JURISDICTION IN RESPECT OF BODILY HARM AND AGGRAVATED ASSAULT

"(1) The Court constituted by a Magistrate has jurisdiction to hear and determine in a summary manner a charge in respect of an offence against section 186 or 189 of the Criminal Code.

"(2) The Court shall not hear and determine in a summary manner a charge referred to in sub-section (1) if it is of the opinion that the charge should be prosecuted on indictment."