

THE NORTHERN TERRITORY OF AUSTRALIA

No. 126 of 1978

AN ACT

To amend the Criminal Law and Procedure Ordinance

[Assented to 21 December 1978]

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. This Act may be cited as the Criminal Law and Procedure Act (No. 2) 1978.

Short title

2. The Criminal Law and Procedure Ordinance is in this Act referred to as the Principal Act.

Principal Act

3. The Principal Act is amended by adding after section 54 the following sections:

"55.(1) This section shall apply in respect of offences committed and acts done or omitted to be done on or after the date of commencement of this section but in respect of no other offences, acts or omissions.

Marital coercion

"(2) Any presumption of law that an offence committed by a wife in the presence of her husband is committed under the marital coercion of the husband is abolished.

"56.(1) The Administrator may -

(a) remit, with or without conditions, any sentence of imprisonment; and

Commutation or remission of sentences, fines, &c.

(b) remit any fine, penalty or forfeiture due or accrued to the Crown,

under, or in respect of an offence against, any law in force in the Territory (other than a law of the Commonwealth).

"(2) Nothing in this section shall be construed as affecting the powers vested in the Governor-General in the exercise of the Royal prerogative of mercy."

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