

Serial 2
Police Administration Amendment Bill 2001
Dr Toyne

**A BILL
for
AN ACT**

to amend the *Police Administration Act*

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NORTHERN TERRITORY OF AUSTRALIA
POLICE ADMINISTRATION AMENDMENT ACT 2001

No. of 2001

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. New Division

Division 4A – Notice to appear before Court

- 133A. Definitions
- 133B. Member may issue and serve notice to appear
- 133C. Form of notice to appear
- 133D. Notice to appear to be filed
- 133E. Person to be given complaint or information

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NORTHERN TERRITORY OF AUSTRALIA

No. of 2001

AN ACT

to amend the *Police Administration Act*

[Assented to 2001]
[Second reading 2001]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Police Administration Amendment Act 2001*.

2. Commencement

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. New Division

Part VII of the *Police Administration Act* is amended by inserting after Division 4 the following:

"Division 4A – Notice to appear before Court

"133A. Definitions

"In this Division –

'Court' means the Court of Summary Jurisdiction;

'notice to appear' means a notice issued under section 133B;

Police Administration Amendment Act 2001

'person' does not include a juvenile as defined in the *Juvenile Justice Act*.

"133B. Member may issue and serve notice to appear

"(1) A member who believes on reasonable grounds that a person has committed an offence may issue a notice requiring the person to appear before the Court in respect of the offence.

"(2) The member must issue the notice to appear in triplicate and serve one copy personally on the person required to appear before the Court.

"133C. Form of notice to appear

"(1) A notice to appear is to –

- (a) be directed to the person alleged to have committed the offence;
- (b) state the substance of the offence the person is alleged to have committed;
- (c) require the person to appear before the Court at a specified time and place in respect of the offence; and
- (d) be signed by the member who issued the notice.

"(2) The statement in the notice to appear of the substance of the offence need provide only general particulars of the offence, including –

- (a) the nature of the offence; and
- (b) the time and place it is alleged the offence was committed.

"(3) The time specified in the notice to appear as the time when the person is required to appear before the Court is to be not less than 7 days after the notice is served.

"(4) The place specified in the notice to appear as the place where the person is to appear before the Court is to be a place where the Court will be sitting at the time specified in the notice.

"133D. Notice to appear to be filed

"After a person has been served with a notice to appear, and as soon as practicable before the date on which the person is required to appear before the Court, one copy of the notice is to be filed with the clerk of the Court at the place where the person is required to appear.

"133E. Person to be given complaint or information

"A person who appears before the Court as required by a notice to appear is to be given a complaint or information (as the case requires) in accordance with section 190(1) of the *Justices Act*."
