

**NORTHERN TERRITORY OF AUSTRALIA**  
**LOCAL COURT (CRIMINAL JURISDICTION) AMENDMENT RULES 2020**

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**Subordinate Legislation No. 15 of 2020**

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# NORTHERN TERRITORY OF AUSTRALIA

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Subordinate Legislation No. 15 of 2020\*

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## ***Local Court (Criminal Jurisdiction) Amendment Rules 2020***

I, Elizabeth Jane Morris, Chief Judge, and the Judges specified below, under section 48(1) of the *Local Court Act 2015*, make the following rules.

Dated 21 May 2020

E. J. Morris  
Chief Judge

J. M. Neill  
Judge

T. P. Fong-Lim  
Judge

G. J. McDonald  
Judge

E. H. Armitage  
Judge

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\* Notified in the *Northern Territory Government Gazette* on 24 June 2020.

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**1 Title**

These Rules may be cited as the *Local Court (Criminal Jurisdiction) Amendment Rules 2020*.

**2 Commencement**

These Rules commence on the day on which they are notified in the *Gazette*.

**3 Rules amended**

These Rules amend the *Local Court (Criminal Jurisdiction) Rules 1929*.

**4 Schedule amended**

Schedule, after Form 13

*insert*

FORM 14

NORTHERN TERRITORY OF AUSTRALIA

*Local Court (Criminal Procedure) Act 1928*

sections 22, 57 and 104

SUMMONS TO ATTEND COURT

**Defendant's details**

Full name:

Address:

DOB:

Offence details [*including date and reference to the section of the law creating the offence*]:

**Complainant's details**

Full name:

Address:

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**Hearing details**

Registry of Local Court:

Date:

Address:

Time:

.....

.....

Date:

Judge/Registrar/Justice of the Peace

**IMPORTANT NOTICE TO DEFENDANT**

If you do not attend the Local Court on the hearing date mentioned above to answer the charge or on any day that the matter is adjourned the Court may:

- (a) proceed in your absence; or
- (b) issue a warrant for your arrest.

**PROOF OF SERVICE**

Name of person serving:

Address of person serving:

Name of person served (defendant):

Address at which service effected:

Date service effected:

Time of day:

Method of service [tick box]:

- personally;
- by leaving a copy for the defendant at the defendant's last-known place of residence with a person who is apparently a resident at that place and who appears to be 16 years of age or older;
- by leaving it for the defendant at the defendant's last-known place of business with a person who is apparently an employee at that place and who appears to be 16 years of age or older.

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I certify that I served a copy of this summons on the defendant in the manner described.

Signature:

Date:

Name:

Witness signature:

Date:

Witness name:

FORM 14A

NORTHERN TERRITORY OF AUSTRALIA

*Local Court (Criminal Procedure) Act 1928*

sections 22 and 57A

SUMMONS TO ATTEND COURT

**Defendant's details**

Full name:

Address:

DOB:

Offence details [*including date and reference to the section of the law creating the offence*]:

**Complainant's details**

Full name:

Address:

**Hearing details**

Registry of Local Court:

Date:

Address:

Time:

.....

.....

Date:

Judge/Registrar/Justice of the Peace

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IMPORTANT NOTICE TO DEFENDANT

You must either:

- (a) attend the Local Court on the hearing date mentioned above to answer the charge; or
- (b) fill out the endorsement below and have it witnessed by a Justice of the Peace, Solicitor or police officer and deliver it in person or by post to one of the following places at least 3 days before the hearing date mentioned above:
  - (i) the address of the Local Court listed above;
  - (ii) a police station that is within 80 km of that Local Court.

ENDORSEMENT

I [*defendant's name*] have read and understood the charge against me specified in the attached summons. I plead guilty to the charge.

I offer the following explanation for the acts alleged in the summons to be an offence:

Signature:

Date:

Name:

Witness signature:

Date:

Witness name:

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PROOF OF SERVICE

Name of person serving:

Address of person serving:

Name of person served (defendant):

Address at which service effected:

Date service effected:

Time of day:

Method of service [tick box]:

- personally;
- by leaving a copy for the defendant at the defendant's last-known place of residence with a person who is apparently a resident at that place and who appears to be 16 years of age or older;
- by leaving it for the defendant at the defendant's last-known place of business with a person who is apparently an employee at that place and who appears to be 16 years of age or older.

I certify that I served a copy of this summons on the defendant in the manner described.

Signature:

Date:

Name:

Witness signature:

Date:

Witness name:

INFORMATION FOR DEFENDANT

**Attending Court**

- It is recommended that you get legal advice about your rights as soon as you receive this summons. If you do not have a lawyer, you can get legal advice from a legal aid agency. You can find more information about going to the Local Court at [www.lawinfont.org.au](http://www.lawinfont.org.au).



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- If you have a physical impairment or you need an interpreter, you should contact the Local Court listed in this summons as soon as you can. You can find contact details at <https://localcourt.nt.gov.au>.

### **Pleading Guilty in Writing**

- If you choose to fill out the endorsement rather than attend the Local Court, the endorsement must be returned to the Local Court at least 3 days before the date you are supposed to attend the Local Court.
- The Judge does not have to accept the written guilty plea. The Judge may choose to reject your guilty plea if the Judge thinks:
  - (a) a punishment other than a fine is appropriate; or
  - (b) that you do not understand the consequences of pleading guilty; or
  - (c) you should answer the charge in the Local Court.
- When you send the endorsement you can also include other documents for the Judge to take into account when the Judge sentences you. For example, you can include a character reference or financial records that show why it might be difficult for you to pay a fine.

### **INFORMATION FOR DEFENDANT**

#### **Attending Court**

- It is recommended that you get legal advice about your rights as soon as you receive this summons. If you do not have a lawyer, you can get legal advice from a legal aid agency. You can find more information about going to the Local Court at [www.lawinfont.org.au](http://www.lawinfont.org.au).
- If you have a physical impairment or you need an interpreter, you should contact the Local Court listed in this summons as soon as you can. You can find contact details at <https://localcourt.nt.gov.au>.

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**5 Repeal of Rules**

These Rules are repealed on the day after they commence.