

ABSCONDING DEBTORS.

9° Elizabeth II., No. XII.

No. 12 of 1960.

**AN ACT to amend the Absconding Debtors Act, 1877
(41 Victoriae, No. 17).**

[Assented to 6th October, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Absconding Debtors Act Amendment Act, 1960.*

(2) In this Act the Absconding Debtors Act, 1877 (Act 41 Victoriae, No. 17), as amended by Act 43 Victoriae, No. 24, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Absconding Debtors Act, 1877-1960.

Short title
and citation.

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General
amendment.

2. The principal Act is amended by substituting for the word, "Colony" wherever it appears the word, "State."

Sec. 1
amended.

3. Section one of the principal Act is amended—

- (a) by substituting for the words, "Five pounds" where they occur in each of lines four, eight and twelve, the words, "Twenty pounds" in each case;
- (b) by deleting the words, "and sealed" in the third last line; and
- (c) by deleting the proviso in the last two lines of the section.

Sec. 2
amended.

4. Section two of the principal Act is amended—

- (a) by deleting the words, "and seal" in line eleven;
- (b) by substituting for the words, "any vessel about to proceed to sea" in lines thirteen and fourteen, the passage, "or on, or boarding or entering a vessel, aircraft, railway train, motor vehicle, or any other vehicle or means of transport, whether of the kind or class as those so expressly mentioned or not, about to leave the State"; and
- (c) by substituting for the word, "ashore" in the second last line, the passage, "from the vessel, aircraft, train or vehicle which he was in or on or was boarding or entering,".

Sec. 4
amended.

5. Section four of the principal Act is amended by deleting the word, "calendar" in the last line.

Sec. 5
amended.

6. Section five of the principal Act is amended—

- (a) by substituting for the passage commencing with the word, "liable" in line five of subsection (1) and ending with the word,

“Peace” being the last word in the subsection, the passage, “guilty of an offence, and be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months”;

- (b) by repealing subsection (2); and
- (c) by repealing subsection (4).

7. The principal Act is amended by adding after section five the following section—

New s. 5A
added.

5A. A person who, after he has been arrested under a warrant issued pursuant to the provisions of this Act, quits or makes preparation to quit the State with intent to defraud the creditor of the debt or sum of money or the amount of liability in respect of which the warrant was issued, is guilty of an offence, and is liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months.
