

JUSTICES.

1° EDWD. VIII., No. XI.

No. 11 of 1936.

AN ACT to amend the Justices Act, 1902-1932.

[Assented to 3rd December, 1936.]

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

1. This Act may be cited as the *Justices Act Amendment Act, 1936*, and shall be read as one with the Justices Act, 1902-1932, hereinafter referred to as the principal Act.

Short title.

2. Section fifty-six of the principal Act is amended by adding the following paragraphs:—

Amendment of s. 56 of the principal Act.

Provided that the police or resident magistrate or clerk of petty sessions may, if satisfied that to effect service in the manner above prescribed would involve undue expense, and that the offence is not an indictable offence, and that its nature is such that personal service might reasonably be dispensed with, and that the hearing will not be unduly delayed thereby, allow service by post.

Service by post.

Service by post shall be effected by the clerk of petty sessions despatching the summons through the post as a prepaid registered letter addressed to the person to be served at his place of abode, and the magistrate may accept as proof of service a certificate of the clerk of the due posting of the summons as a prepaid registered letter; provided that the

clerk has received through the post an acknowledgment of delivery of such letter purporting to be signed by the person to whom the same was addressed.

Amendment
of ss. (1) of
s. 57 of the
principal Act.

3. Subsection one of section fifty-seven of the principal Act is amended by inserting after the word "summons" in the first line the words "where service has not been effected by post."

Amendment
of s. 74 of the
principal Act.

4. Subsection two of section seventy-four of the principal Act is amended by adding the words "except that the provisions relating to service by post shall not apply to a summons to a witness."

Citation of
principal Act
as amended.

5. The principal Act as amended by this Act may be cited as the Justices Act, 1902-1936.
