

WESTERN AUSTRALIA.



ANNO QUINTO

GEORGI QUINTI REGIS,

VI.

No. 6 of 1914.

AN ACT to amend the Royal Commissioners' Powers Act, 1902.

[Assented to 8th August, 1914.]

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 *Royal Commissioners' Powers Act Amendment Act, 1914*, and shall be read as one with the Royal Commissioners' Powers Act, 1902, hereafter referred to as the principal Act. Short title.

2. Section three of the principal Act is amended by omitting the word "one" before the words "hundred pounds," and inserting in place thereof "five." Amendment of section 3. See Com. No. 4, 1912, s. 4.

3. Every witness who has been summoned to attend a Royal Commission shall appear and report himself from day to day unless excused by the Chairman of the Commission or until he is released from further attendance by the Chairman of the Commission. Duty of witness to continue in attendance. Ibid, s. 7.

4. (1.) If any person served with a summons to attend a Royal Commission as a witness fails to attend the Commission in answer to the summons, the Chairman may, on proof by statutory declaration of the service of the summons, issue a warrant for his apprehension. Arrest of witness failing to appear. Ibid, s. 7.

(2.) The warrant shall authorise the apprehension of the witness and his being brought before the Commission, and his detention in custody for that purpose until he is released by order of the Chairman.

(3.) The warrant may be executed by any member of the police force, or by any person to whom it is addressed, and the person executing it shall have power to break and enter any place, building, or vessel for the purpose of executing it.

(4.) The apprehension of any witness under this section shall not relieve him from any liability incurred by him by reason of his non-compliance with the summons.

Power of Commission in relation to documents produced.
Ibid. s. 7.

5. A Royal Commission may inspect any documents, books, or writings produced before it, and may retain them for such reasonable period as it thinks fit, and may make copies of such matter as is relevant to the inquiry or take extracts from them.

Injury to witness.
Ibid. s. 7.

6. Any person who uses, causes, inflicts, or procures any violence, punishment, damage, loss, or disadvantage to any person for or on account of his having appeared as a witness before any Royal Commission, or for or on account of any evidence given by him before any Royal Commission, shall be guilty of an offence.

Penalty: Five hundred pounds, or imprisonment for one year.

Dismissal by employers of witness.
Ibid. s. 7.

7. (1.) Any employer who dismisses any employee from his employment, or prejudices any employee in his employment, for or on account of the employee having appeared as a witness before a Royal Commission, or for or on account of the employee having given evidence before a Royal Commission, shall be guilty of an offence.

Penalty: Five hundred pounds, or imprisonment for one year.

(2.) In any proceeding for an offence against this section it shall lie upon the employer to prove that any employee shown to have been dismissed or prejudiced in his employment was so dismissed or prejudiced for some reason other than the reasons mentioned in sub-section (1) of this section.