

WESTERN AUSTRALIA

ANNO VICESIMO SEPTIMO

VICTORIÆ REGINÆ

No. 17

An Ordinance to extend the Jurisdiction of the Police
and Resident Magistrates.

[Assented to 15th July, 1863.]

Preamble

WHEREAS the presence of two or more Justices of the Peace is
by law required to exercise the jurisdiction conferred in several
cases, and it is expedient that in all such cases power should be con-

Justices of the Peace, &c.

ferred upon Police and Resident Magistrates to act and to exercise such jurisdiction alone: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof:—

1. That it shall be lawful for any Police Magistrate or for any Resident Magistrate to do alone any act which by any law now in force or by any law not containing an express enactment to the contrary hereafter to be made, is or shall be directed to be done by more than one Justice of the Peace, and that the several forms by law prescribed to facilitate the performance of the duties of Justices of the Peace, may be varied as far as may be necessary to render them applicable: Provided always that no such magistrate shall be competent so to act alone in anything which is required to be done at a Special or Petty Sessions of all the Justices acting in the district, or by the Justices of the Colony in General or Quarter Sessions assembled in any district thereof.

Police and Resident Magistrates may act alone

2. That the words 'Resident Magistrate,' for the purposes of this Ordinance, shall be taken to mean each Justice of the Peace nominated and appointed to be 'Resident Magistrate' of any district within the Colony, and shall not be construed to mean, to extend to, or to include any other Justice of the Peace resident in the district or otherwise.

Interpretation

J. S. HAMPTON,
GOVERNOR AND COMMANDER-IN-CHIEF.
