

Justices Act 1902

Justices (Forms) Regulations 1982

These regulations were repealed as a result of the repeal of the *Justices Act 1902* by the *Criminal Procedure and Appeals* (*Consequential and Other Provisions*) *Act 2004* s. 4(1) (No. 84 of 2004) as at 2 May 2005 (see s. 2 and *Gazette* 31 Dec 2004 p. 7129 and 7 Jan 2005 p. 53).

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

Western Australia

Justices (Forms) Regulations 1982

Contents

1. 2. 3.	Citation Commencement Forms	1 1 1
	Schedule	
	Notes	
Comp	pilation table	50

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

page i

Western Australia

Justices Act 1902

Interpretation Act 1918

Justices (Forms) Regulations 1982

1. Citation

These regulations may be cited as the *Justices (Forms)* $Regulations 1982^{-1}$.

2. Commencement

These regulations shall come into operation on the day on which the *Justices Amendment Act 1981* comes into operation 1.

3. Forms

The forms set out in the Schedule are prescribed for the purposes to which they are respectively applicable.

[Regulation 3 inserted in Gazette 24 September 1999 p.4652.]

page 1

[4-6. Repealed in Gazette 24 September 1999 p.4652.]

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

Schedule

(Regulation 3)

Forms Form 1

Western Australia JUSTICES ACT 1902	CHARGE BY SUMMONS	CHARGE No. S	s
JUSTICES (FORMS) REGULATIONS 1982 1.— SUMMONS TO THE DEFEN- DANT UPON COMPLAINT OF INDICTABLE OFFENCE	DEPT. MDL. No. BRIEF No. DATE OF BIRTH	COURT OF PETTY SESSIONS PERTH	DEFENDANT' COPY

THE COMPLAINT OF:	Christian names	surname
OF		IN THE SAID STATE OF
WESTERN AUSTRALIA	OCCUPATION:	
SWORN (OR MADE) AT		THIS
DAY OF 20	, before the unde	rsigned, one of Her Majesty's
Justices of the Peace for the sai	d State (or the Clerk of Pe	etty Sessions,
in the	said State) who says	
THAT ON THE		· · · · · · · · · · · · · · · · · · ·
AT:		
NAME OF DEFENDANT:		
	Christian names	surname
(a):		
Section	Subsectio	n/Clause
AU/ NCZ/ DV-IdW		

(a) Nature of offence or subject matter

page 2 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

THESE ARE THEREFORE TO COMMAND THE DEFENDANT:					
	Christian name	S	surname		
OF:					
No. and street		town/locality	postcode		
to appear in the COURT	OF PETTY SESS	IONS,			
in the said State		on THE			
DAY OF	20	, AT	O'CLOCK IN		
THE	NOON.				

Summons signed at and year first mentioned above.	in the said State, on the day
	Signature of J.P. or C.P.S.

NOTE.

The above charge is an offence that allows you to decide whether it will be heard before a Magistrate or Judge and jury. There are therefore certain essential preliminary steps that must be taken on the date this summons requires you to attend Court. YOU MUST THEREFORE APPEAR AT COURT ON THAT DATE.

IF YOU DO NOT APPEAR A WARRANT MAY BE ISSUED FOR YOUR ARREST.

When your case is called in Court the Magistrate will ask you (a) if you want it to be heard by a Magistrate or by a Judge and jury and (b) whether you wish to plead not guilty or guilty. Each time you must tell the Magistrate what you wish to do. He will then inform you what must happen as a result of the answers you have given.

However please note that if you intend to defend the charge it will not be heard.

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

page 3

(Reverse of Form 1) INDORSEMENT OF SERVICE

On the	day of	
	I served the within-named.	
	with the within summon	s by delivering a duplicate of
	or by leaving a duplicate of it for him	
	at	
his last known place of		·····,
-	(Signature).	

(Date)	 	

OR

(Applicable only for offences against Acts, Regulations, Rules, By-laws or Orders referred to in or prescribed under section 56A of the Justices Act.)
2. I, the complainant, or a person authorised in writing by the complainant, do hereby certify that I did on the
despatch by prepaid registered post numbered
to at
his last known place of residence/business, a duplicate of the within summons.
(Signature)
(Date)

page 4 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Form	2
------	---

CHILDREN S COURT				(Charge no.		
COMPLAINT Form 2 Regulation 4A Justices (Forms) Amendment Regulations (No. 2) 1993			(Court of Origin			
	TH NOTICE TO ATTE			(ORIGINAI	L (To be lodged at Children's Court)	
	Surname				Date of I	Birth / /	
Defendant's	Given Names				Sex		
Details	Address				Driver's	Licence	
		Postc	ode				
Short Description:							
Charge	Date and Time:						
Details	Place:						
Brief Description of Alleged Offence							
Act or Regulation	□State □C'wealth	Act/	Regulatio	on	Section	Subsection/Paragraph	
Court Appearance	Court	rt Da		Date	/	Time	
Police or Other Complainant	Full Name			Date /		Signature	
	Full Name				Regin	nental No	
Details of	Agency						
Issuing Officer	Location				Sign	ature of Issuing Officer	

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

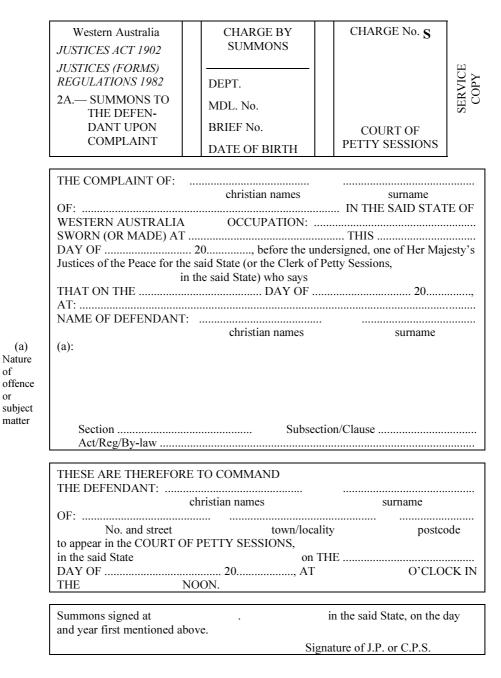
page 5

Justices (Forms) Regulations 1982 Schedule

	1. On theday of
Proof of Service	Signature of Serving Officer Date/
	 2. On the
Parent/ Guardian	Name Restitution Address Name Address Address
Name & Address	Postcode Postcode

page 6 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Form 2A.



Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

page 7

(Reverse of Form 2A) INDORSEMENT OF SERVICE

On the	day of	
	, I served the within-named	
	with the within summon	s by delivering a duplicate of
	or by leaving a duplicate of it for him	
	at	,
his last known place o	of abode].	
	(Signature).	
	(Da	ate)
	OR	
	offences against Acts, Regulations, Reinfences against Acts, Reinfences again	
	t, or a person authorised in writing by eday of	
	by prepaid registered post numbered.	
to	atat	
his last known place o	of residence/business, a duplicate of the	he within summons.
	(Signature).	

(Date).....

page 8 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Form 2B

	Western Australia JUSTICES ACT 1902	CHARGE BY SUMMONS	CHARGE No. S	S
	JUSTICES (FORMS) REGULATIONS 1982	DEPT.		IDAN1 PPY
	2B.— SUMMONS TO THE DEFEN-	MDL. No. BRIEF No.		DEFENDANT'S COPY
	DANT UPON COMPLAINT	DATE OF BIRTH	COURT OF PETTY SESSIONS	
(2) Nature of offence or subject matter	THAT ON THEAT: NAME OF DEFENDANT: (2): Section	christian names OCCUPATION: . . 20, before the un e said State (or the Clerk of n the said State) who says 	surname IN THE SAID STAT THIS ndersigned, one of Her Maj Petty Sessions, 20	'E OF esty's
		christian names	surname	
	OF: No. and street to appear in the COURT O	town/loca F PETTY SESSIONS,	ality postco	ode
	in the said State DAY OF THE N	20, AT	THEO'CLO	CK IN
	Summons signed at and year first mentioned ab	ove.	in the said State, on the o	lay
		Si	gnature of J.P. or C.P.S.	

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

page 9

The alternatives open to you are: ---

(a) To enter a PLEA OF NOT GUILTY by completing the appropriate section on the reverse side of this summons and returning it to the Clerk of Petty Sessions to reach him prior to the hearing date above. (It should be received by the Clerk no later than 3 days prior to that date). If you plead not guilty you do not have to attend Court and your case will be adjourned to a subsequent date when you and your witnesses <u>will</u> be required to attend.

You will be advised in writing of the date fixed for hearing. If, within 14 days of entering a plea of not guilty, you have not been advised of the date fixed for hearing you should contact the Court to find out that date.

- (b) To enter a PLEA OF GUILTY by completing the appropriate section on the reverse side of this summons and returning it to the Clerk of Petty Sessions to reach him prior to the hearing date. (It should be received by the Clerk no later than 3 days prior to that date). There will be no need for you to attend unless you wish to address the Court on mitigation of penalty. You may also forward with the summons any written explanation or other information you believe is relevant to the charge.
- (c) If you fail to take either of the alternatives mentioned above, and you fail to appear at Court on the day and time stated in this summons, the Court may
 - (i) proceed to hear and determine the complaint in your absence and, if the complainant is a public officer, take as proved any allegation in this summons;
 - (ii) adjourn your case and issue a further summons; or
 - (iii) adjourn your case and issue a warrant to have you arrested and brought before the Court.
- (d) If you are convicted of the offence alleged in this summons you may be liable to the penalty prescribed for the offence, the court costs and any legal costs claimed by the prosecution.
- (e) If you are in doubt as to what action you should take it is suggested that you seek legal advice from a lawyer or from the Legal Aid Commission.
- NOTE (a) IT IS YOUR RESPONSIBILITY TO ASCERTAIN ANY PENALTY AND/OR CANCELLATION/SUSPENSION OF LICENCE WHICH MAY BE IMPOSED BY THE COURT AGAINST YOU AT THE TIME AND DATE OF HEARING SHOWN HEREON.

page 10 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

(b) IF THE COURT CONSIDERS IT NECESSARY THAT YOU BE PRESENT FOR SENTENCING IT MAY —

- (i) ADJOURN YOUR CASE AND ISSUE A FURTHER SUMMONS TO HAVE YOU APPEAR IN COURT; OR
- (ii) ADJOURN YOUR CASE AND ISSUE A WARRANT TO HAVE YOU ARRESTED AND BROUGHT BEFORE THE COURT.

Ceased on 02 May 2005 Version 01-m0-07 page 11 Extract from www.slp.wa.gov.au, see that website for further information

(Reverse of Form 2B) SECTION A

PLEA OF NOT GUILTY

Should you desire to plead not guilty please endorse this summons in the place provided hereunder "I plead not guilty" and give your address for service of notices, sign and date where indicated and then return to the Court of Petty Sessions mentioned on the front of this form to reach it prior to the hearing date (it should be received by the Court no later than 3 days prior to that date).

- NOTE: (1) IF YOU PLEAD NOT GUILTY IN THE MANNER MENTIONED ABOVE THE MATTER WILL NOT PROCEED ON THE DATE SET OUT IN THIS SUMMONS AND IT WILL NOT BE NECESSARY FOR YOU TO ATTEND AT THE COURT. A TIME AND DATE WILL BE APPOINTED BY THE COURT FOR DETERMINATION OF THE MATTER AND YOU WILL RECEIVE REASONABLE NOTICE, IN WRITING, OF THE DATE OF HEARING.
 - (2) YOU AND YOUR WITNESSES WILL BE REQUIRED TO ATTEND THE COURT ON THE DATE NOTIFIED TO YOU FOR HEARING, OTHERWISE THE COURT MAY —
 - (a) PROCEED TO HEAR AND DETERMINE THE COMPLAINT IN YOUR ABSENCE AND, IF THE COMPLAINANT IS A PUBLIC OFFICER, TAKE AS PROVED ANY ALLEGATION IN THIS SUMMONS; OR
 - (b) ADJOURN YOUR CASE AND ISSUE A WARRANT TO HAVE YOU ARRESTED AND BROUGHT BEFORE THE COURT.

I understand the English language/or these provisions have been explained to me and I understand the plea I am making.

PLEA:
(in your own handwriting)
ADDRESS FOR SERVICE OF NOTICES IS:
SIGNED:
Date:

page 12 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information The following information may be provided to assist the Clerk of Petty Sessions in listing your case for hearing.

Will you be represented by a lawyer?
If so, what is his name?
and his firm's name?
How many witnesses (including yourself) do you propose to call?
Are there any comments you wish to make regarding a suitable hearing date?

.....

Ceased on 02 May 2005 Version 01-m0-07 page 13 Extract from www.slp.wa.gov.au, see that website for further information

SECTION B

PLEA OF GUILTY

Should you desire to plead guilty to this summons please endorse in the place provided hereunder "I plead guilty", sign and date where indicated and then return it to the Court of Petty Sessions at the Court mentioned on the front of this form to reach it prior to the hearing date (it should be received by the Court no later than 3 days prior to that date). The effect of doing so will be that, unless advice is received by the Court prior to the hearing date that you wish to withdraw the plea, the Court dealing with the complaint may proceed to hear and determine the complaint in your absence as though you were present and had pleaded guilty. You may also forward with the summons any written explanation or any other information you believe is relevant to the charge. If, prior to the hearing date, you advise the Court that you wish to withdraw your plea of guilty and you do not appear, the Court may —

- (a) proceed to hear and determine the complaint in your absence and, if the complainant is a public officer, take as proved any allegation in this summons; or
- (b) adjourn your case and issue a warrant to have you arrested and brought before the Court.
- NOTE: (a) IT IS YOUR RESPONSIBILITY TO ASCERTAIN ANY PENALTY AND/OR CANCELLATION/SUSPENSION OF LICENCE THAT MAY BE IMPOSED BY THE COURT AGAINST YOU AT THE TIME AND DATE OF HEARING SHOWN HEREON.
 - (b) IF THE COURT CONSIDERS IT NECESSARY THAT YOU BE PRESENT FOR SENTENCING IT MAY
 - (i) ADJOURN YOUR CASE AND ISSUE A FURTHER SUMMONS TO HAVE YOU APPEAR IN COURT; OR
 - (ii) ADJOURN YOUR CASE AND ISSUE A WARRANT TO HAVE YOU ARRESTED AND BROUGHT BEFORE THE COURT.

I understand the English language/or these provisions have been explained to me and I understand the plea I am making.

PLEA: (in your own handwriting)	I WILL NOT BE ATTENDING COURT
SIGNED: DATE:	I WILL BE ATTENDING COURT

page 14 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

(indicate which)

Ceased on 02 May 2005 Version 01-m0-07 page 15 Extract from www.slp.wa.gov.au, see that website for further information

	Form 3		
COURT OF PETTY SESSIONS			
		Charge N	lo. / /
WEST	ERN AUSTRALI	A	
JUS	TICES ACT 1902		
JUSTICES (FC	ORMS) REGULAT	IONS 1982	
FORM 3 NOTICE	REQUIRING A	FTENDANCI	E
	PART A		
То:			
Take notice that the charge against	st you for the follo	wing offence -	
on which you lodged a plea of no	t guilty with this C	Court has been	adjourned for
hearing and determination at	o'clock in	n the	
noon on the	day of		20 .
THESE ARE THEREFORE TO I TIME AND PLACE.	REQUIRE YOU 1	O ATTEND A	AT THAT
If you do not attend in accordance in your absence or a warrant may		•	be dealt with
Given under my hand at	this	day of	20 .
	••••••		1000
		Autr	norised Officer
	PART B		
	ICATE OF SERV		
I,		, an officer of t	•
authorised in writing by the Clerk	•		do hereby
certify that I did despatch by prep			
the original of the above notice or	n tha	day of	

20.....to the defendant at the address stated in Part A above.

Signature.....

Date.....

page 16 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Complaint in all other cases

(previously Form 3 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit. The complaint of C.D., of ______, in the said State, _____, made this ______day of ______, 20 ____, before the undersigned, one of Her Majesty's Justices of the Peace for the said State [or for the magisterial district of], who says that on the ______day of ______, 20 _____, at _______, at ______ [etc., stating the offence or subject-matter]. Sworn [or made] before me, the day and year first abovementioned, at _______, in the said State.

J.S., J.P.

Ceased on 02 May 2005 Version 01-m0-07 page Extract from www.slp.wa.gov.au, see that website for further information

page 17

Warrant in the first instance to apprehend a person charged with an indictable offence or a simple offence

(previously Form 8 in the Fourth Schedule to the Act)

To the principal police officer at ______, in the State of Western Australia, and to all other police officers in the said State.

Whereas a complaint has this day been made upon oath before the undersigned, one of Her Majesty's Justices of the Peace for the said State [or, etc.], for that A.B., on the _____ day of _____, 20____, at

[here state shortly the offence or matter of the complaint]: These are therefore to command you, in Her Majesty's name forthwith to apprehend the said A.B. and to bring [him] before some one or more of Her Majesty's Justices of the Peace, to answer to the said complaint, and be further dealt with according to law.

Given under my hand, at _____ in the said State, _____ day of _____, 20____.

J.S., J.P.

For offences committed on the high seas the warrant may be the same as in ordinary cases, but describing the offence to have been committed "on the high seas out of any jurisdiction or place in the State of Western Australia, and within the jurisdiction of the Admiralty of England."

For offences committed abroad for which the parties may be indicted in this State the warrant also may be the same as in ordinary cases, but describing the offence to have been committed "on land out of the State of Western Australia, to wit, at _____" as the case may be.

page 18 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Warrant to convey accused person before a justice of the place in which the offence was committed

(previously Form 53 in the Fourth Schedule to the Act)

To the principal police officer at ______, in the State of Western Australia, and all other police officers in the said State and to all persons authorised to exercise a power set out in clause 2 or 3, as the case requires, of Schedule 2 to the *Court Security and Custodial Services Act 1999*.

Whereas A.B. of _______, in the said State has this day been charged before the undersigned [*one*] of Her Majesty's Justices of the Peace for the said State [*or* etc.] that [*etc., as in the summons or warrant*]: And whereas [*I*] have taken the deposition of C.D., a witness examined by me in this behalf, but [*I*] am informed that the principal witnesses to prove the said offence against the said A.B. reside at ______, in the said State, where the said offence is alleged to have been committed: These are therefore to command you forthwith to convey the said A.B. to ______, in the said State, and take [him] before some justice or justices in and near to the place where the offence is alleged to have been committed to answer further the said complaint before him or them; and [*I*] hereby further command you to deliver to the said justice or justices, the complaint in this behalf, and also the said deposition of C.D. now given into your possession for that purpose, together with this warrant.

Given under [*my*] hand, at _____, in the said State, this _____ day of _____, 20___.

J.S., J.P.

[Forms 7, 8 and 9 repealed]

Ceased on 02 May 2005 Version 01-m0-07 page 19 Extract from www.slp.wa.gov.au, see that website for further information

JUSTICES ACT 1902 s. 98(3)(b) JUSTICES (FORMS) REGULATIONS 1982

NOTICE OF PROCEDURE FOR INDICTABLE OFFENCES

You have been charged with an indictable offence. This notice sets out what will occur before the charge against you is dealt with. If after reading this notice you do not understand its contents or have any questions, you should seek legal advice.

[Note: 2 or more Justices of the Peace may sometimes sit instead of a magistrate in a court of petty sessions.]

PART A

Indictable offences are serious offences. Some of them can be dealt with only in the Supreme Court or the District Court by a judge and a jury. If the charge against you is one of these read Part C.

Other indictable offences can be dealt with EITHER by a judge and jury in the Supreme Court or the District Court OR by a magistrate in a court of petty sessions. If the charge against you is one of these read Part B and Part C.

PART B

If the charge against you is one that can be dealt with in a court of petty sessions and a magistrate considers that the charge can be adequately dealt with in that court, you will be asked to choose one of the following —

• to have the charge dealt with by a magistrate in the court of petty sessions,

OR

• to have the charge dealt with by a judge and jury in the Supreme or the District Court.

If you choose to have the charge dealt with in the court of petty sessions, you must tell the magistrate.

If you choose to have the charge dealt by a judge and jury, some procedural matters will occur in the court of petty sessions before your case is sent to the Supreme Court or the District Court. Part C deals with those matters.

PART C

This Part explains the procedural matters that will occur in the court of petty sessions if the charge against you is to be dealt with in the Supreme Court or District Court.

page 20

Version 01-m0-07Ceased on 02 May 2005Extract from www.slp.wa.gov.au, see that website for further information

Before you are given the opportunity in the court of petty sessions to plead to the charge against you, the prosecution will give you —

- a document stating the facts of the case against you in connection with the charge,
- a copy of any statement made by you to the police and signed by you,
- a copy of any interview with the police that was written down and signed by you,
- notice about any tape or videotape of any interview of you by the police,
- a written version of anything you said to the police that the police think is relevant to the charge.

You should read all the papers that the prosecution give you.

When you next come before the court after getting the papers from the prosecution, the magistrate will ask you if you want to plead to the charge. You do not have to, but if you want to, you can plead guilty or plead not guilty.

If you plead guilty the charge will be sent to either the Supreme Court or the District Court together with a copy of the papers that the prosecution gave you.

If you plead not guilty or if you do not plead, the charge will be adjourned to a further hearing in the court of petty sessions prior to committal to the Supreme or District Court, and you will be given a notice explaining the procedures in that hearing.

PLEAS OF GUILTY

By law a court can take into account a plea of guilty and the stage when a person pleads guilty and may impose a lesser sentence accordingly.

[Form 10 amended in Gazette 17 Apr 2003 p. 1244.]

WESTERN AUSTRALIA

Fines, Penalties and Infringement Notices Enforcement Act 1994, s.101

APPLICATION FOR CANCELLATION OF LICENCE SUSPENSION ORDER

Court of Petty Sessions

At:

Applicant	Name:		Date of birth:
	Address:		
Details of suspension	Prosecuting authority: Infringement no: Fines enforcement case no: Driver's licence no.:	suspen	ded.
	□ Motor Vehicle licence no.:	suspen	ded.

Application	I, the applicant, have had —		
	* my driver's licence; or		
	* the motor vehicle licence of my vehicle,		
* delete if not	cancelled by a licence suspension order made under Part 3 of the		
applicable	Fines, Penalties and Infringement Notices Enforcement Act 1994.		
	I apply for an order under section 101 of the Fines, Penalties and		
	Infringement Notices Enforcement Act 1994 cancelling the licence		
	suspension order on the grounds that I received none of the following:		
	(a) the infringement notice that gave rise to the licence suspension		
	order;		
	(b) the final demand issued under section 14 of the Act in respect of		
	the infringement notice;		
	(c) the order to pay or elect issued under section 17 of the Act in		
	respect of the infringement notice;		
	(d) the notice of intention to suspend licences issued under		
	section 18 of the Act in respect of the infringement notice;		
	(e) the notice confirming licence suspension issued under		
	section 19(6) of the Act.		

page 22 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

	I certify that I have not previously made an unsuccessful application under section 101 of the Act in relation to this licence suspension order or in relation to any other licence suspension order made in respect of this infringement notice. Signature of applicant: Date:		
Hearing details	This application is listed for hearing in the Court of Petty Sessions at: on: at a.m./p.m.		
Court order	 The licence suspension order issued on: in respect of the above driver's licence/motor vehicle licence is cancelled. Application refused, Signature of SM or JPs Date: 		

Ceased on 02 May 2005 Version 01-m0-07 page 23 Extract from www.slp.wa.gov.au, see that website for further information

Form 11A

WESTERN AUSTRALIA

Т

Fines, Penalties and Infringement Notices Enforcement Act 1994, s.101A

APPLICATION FOR CANCELLATION OF LICENCE SUSPENSION ORDER

Court of Petty Sessions

At:

Applicant	Name:	Date of birth:		
	Address:			
Details of	Court:			
suspension	Charge/Indictment No:			
-	Fines enforcement case no:			
	Driver's licence no.: suspended.			
	□ Motor Vehicle licence no.: suspen	ded.		
Application	I, the applicant, have had —			
	* my driver's licence; or * the mater value licence of my value			
* delete if not	* the motor vehicle licence of my vehicle, if not			
applicable	cancelled by a licence suspension order made under Part 4 of the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994.</i>			
	I apply for an order under section 101A of the Fines, Penalties and			
	Infringement Notices Enforcement Act 1994 cancelling the licence			
	suspension order on the grounds that —			
	(a) I did not receive a summons or a notice to attend court in respect			
	of the charge that gave rise to the fine that gave rise to the			
	licence suspension order;			
	(b) I was not present in court when that fine was imposed; and			
	(c) I received neither of the following:			
	(i) the notice of intention to suspend licences issued under section 42 of the Act in respect of that fine;			
	(ii) the notice confirming licence suspension issued under section 43(6) of the Act.			

page 24 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

	I certify that I have not previously made an unsuccessful application under section 101A of the Act in relation to this licence suspension order or in relation to any other licence suspension order made in respect of this fine. Signature of		
	applicant: Date:		
Hearing	This application is listed for hearing in the Court of Petty Sessions at:		
details	on:	at	a.m./p.m.
	011.	aı	a.m./p.m.
Court order	The licence suspension respect of the above du cancelled.	n order issued on: iver's licence/motor vehicle	in licence is
	□ Application refused,		
	Signature of SM or JPs	Date:	

Ceased on 02 May 2005 Version 01-m0-07 page 25 Extract from www.slp.wa.gov.au, see that website for further information

WESTERN AUSTRALIA Bail Act 1982, ss 48, 54, 56 Justices Act 1902, ss 97A, 135 Young Offenders Act 1994, s 43 Sentencing Act 1995, ss 14, 50, 79, 126, 129	 Supreme Court District Court Court of Petty Sessions Children's Court At:
ARREST WARRANT	CWI Warrant No.

То	All police officers		
Defendant	Nan	ne:	Date of birth:
or	Add	ress:	
Offender			
Command	the	s warrant authorises and commands any police above person and to take the person to the abo It with according to law.	
Reason for issue of warrant		Application by surety to cancel surety undertaked Application by police officer to vary or revoked Failure to comply with requirements of bail und	bail
		Non-appearance in accordance with notice to at	tend court
		Non-appearance in accordance with summons	
		Offender to re-appear so the court can ascertain has complied with a conditional release order (0	
		Offender to appear at application to amend or ca conditional release order (CRO), a community b (CBO) or an intensive supervision order (ISO)	
		Alleged re-offending while subject to a CRO, C	BO or ISO
		Alleged re-offending while subject to a term of imprisonment	suspended
		Other (specify):	

page 26 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Relevant offences	Charge/Indict No	Description of offence	
Warrant issued by	Signature: Judicial Officer	/Clerk of Arraigns	Date:
Execution details	This person arrested on/ at hours at: by: Regimental No: of: police station/division Signature: Date:		station/division

Ceased on 02 May 2005 Version 01-m0-07 page 27 Extract from www.slp.wa.gov.au, see that website for further information

Justices Act 1902, s 79 Sentencing Act 1995, s 17
WESTERN AUSTRALIA Dupreme Court

То	All police officers and to all persons authorised t power set out in clause 2 or 3, as the case require to the <i>Court Security and Custodial Services Act 1</i> Chief executive officer under the <i>Prisons Act 198</i>	es, of Schedule 2 999
	21	D

Defendant	Name:	Date of birth:
or		
Offender		

Reason for issue of	The above person appeared before this court in relation to these offences and the proceedings were adjourned.
warrant	This warrant authorises and commands you to keep the person in custody until the remand date stated below, when you shall
Command	bring the person to this court at the place stated below; unless before then bail, if granted, is entered into under the <i>Bail</i>
	Act 1982 in accordance with the conditions below.

Offences	Charge/Indict No	Description of o	offence
Bail granted	□ Yes (see	below)	No
Remand date (if in custody)	Date: Place:		Time:

page 28 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Ceased on 02 May 2005 Version 01-m0-07 page 29 Extract from www.slp.wa.gov.au, see that website for further information

New hearing date (if bailed)	Date: Place:	Time:	
Bail details	Conditions of bail:		
Delete if not granted	Surety to be approved by □ JP	□ other (spe	cify)
Warrant issued by	Signature: Judicial Officer/Clerk of Arraigns		Date:

page 30 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Form	14
------	----

rised to exercise a requires, of Schedule 2 s Act 1999 act 1981.
e

Defendant	Name:	Date of birth:
or		
Offender		

Reason for issue of warrant Command	 The above person appeared before this court and, in relation to these offences, was committed by this court to appear before another court. This warrant authorises and commands you to keep the person in custody until — the criminal sittings stated below (or until a date in those sittings notified to you by the Supreme or District Court); or the hearing date in the Children's Court stated below, when you shall take the person to the other court:
	when you shall take the person to the other court;
	unless before then bail, if granted, is entered into under the Bail
	Act 1982 and in accordance with the conditions below.

Offences	Charge/Indict No	Description of offence		

Committal details	Committed to the criminal sittings of — Supreme Court District Court commencing on: To a hearing in the Children's	Date: At:
	Court on:	

Ceased on 02 May 2005 Version 01-m0-07 page 31 Extract from www.slp.wa.gov.au, see that website for further information

Date of committal	Bail gra	inted		Yes (see bel	ow) l	□ No		
Bail details	Conditions for bail:							
Delete if not granted	Surety to be approved by D JP D other (specify)							
Warrant issued by	Signature: Judicial Officer/Clerk of A	Arraigns			Date:			

page 32 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Summons of a witness

(previously Form 7 in the Fourth Schedule to the Act)

To E.F., of ______ in the State of Western Australia.

Whereas a complaint was, on the _____ day of _____, 20____, made before the undersigned, one of Her Majesty's Justices of the Peace for the said State [*or* etc.], that A.B. [*etc., as in the summons or warrant against the defendant*]: These are therefore to require you to appear at ______ in the said State, on the ______ day of _____, 20___, at _____ o'clock in the forenoon, before such justices as may then be there, to testify what you know concerning the matter of the said complaint [and you are further required to bring with you and produce at the time and place abovenamed] [*Here describe the documents to be produced*].

Given under my hand, at _____ in the said State, this _____ day of _____.

J.S., J.P. [or Clerk of Petty Sessions].

Endorsement of service

On the _____ day of _____, 20___, at ____ I served the within-named E.F. with the within summons by delivering a duplicate of it to him personally [or by leaving a duplicate of it for him with ______ at _____, his last known place of abode].

> (Signature) (Date)

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

Warrant for a witness in the first instance

(previously Form 13 in the Fourth Schedule to the Act)

To the principal police officer at ______, in the State of Western Australia, and all other police officers in the said State.

Whereas on the _____ day of _____, 20___, at _____ a complaint was made that A.B. [*etc., as in the summons or warrant*], and it being made to appear before me on oath that E.F., of ______, in the said State

is likely to give material evidence on behalf of the prosecution [*or as the case may be*] in the matter, and it is probable that the said E.F. will not attend to give evidence without being compelled so to do: These are therefore to command you, in Her Majesty's name, forthwith to apprehend the said E.F. and bring [him] before me at ______ in the said State, or before such other justices as may be there, to testify what [he] knows concerning the matter of the said complaint.

Given under my hand, at _____, in the said State, this _____ day of _____, 20____.

J.S., J.P.

page 34 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Warrant where a witness has not obeyed a summons to attend the examination of a person charged with an indictable offence or the hearing of a charge of a simple offence or breach of duty

(previously Form 12 in the Fourth Schedule to the Act)

To the principal police officer at _____, in the State of Western Australia, and all other officers in the said State.

Whereas on the ______ day of ______, 20____, a complaint was made that A.B. [*etc., as in the summons or warrant*], and a summons was duly issued to E.F., of ______ in the said State ______ requiring [him] to appear on ______ day of ______, 20____, at ______ in the said State, before such justices as might then be there, to testify what [he] knew concerning the matter of the said complaint: And whereas proof has been made that such summons was duly served upon the said E.F.: And whereas the said E.F. neglected to appear at the time and place appointed by the said summons, and no just excuse has been offered for such neglect: These are therefore to command you, in Her Majesty's name, forthwith to apprehend the said E.F. and bring [him] before [me] ______ at ______, in the said State, or before such other justices as may then be there, to testify what [he] knows concerning the matter of the said complaint.

Given under [my] hand at _____, in the said State, this _____ day of _____, 20___.

J.S., J.P.

Ceased on 02 May 2005 Version 01-m0-07 page 35 Extract from www.slp.wa.gov.au, see that website for further information

Warrant of commitment of a witness for refusing to be sworn or to give evidence

(previously Form 56 in the Fourth Schedule to the Act)

To all police officers in the State of Western Australia and to all persons authorised to exercise a power set out in clause 2 or 3, as the case requires, of Schedule 2 to the Court Security and Custodial Services Act 1999, and to the superintendent [or keeper] of Her Majesty's prison [or the gaol] at , in the said State.

Whereas on the _____ day of _____, 20___, upon the hearing of a charge before the undersigned, [*one*] of Her Majesty's Justices of the Peace for the said State [or etc.], that [etc., as in the summons or warrant] E.F., of , in the said State , being required to make oath [or affirmation] as a witness to testify what [he] knew concerning the said charge, refused so to do [or being duly sworn as a witness, refused to answer certain questions concerning the premises which were put to him] without offering any just excuse for such refusal: These are therefore to command you the said police officers or authorised persons to convey the said E.F. to Her Majesty's prison , in the said State, and deliver [him] to the [or the gaol] at superintendent [*or* keeper] thereof, together with this warrant, and [I] hereby command you the said superintendent [or keeper] of the said prison [or gaol] to receive the said E.F. into your custody in the said prison, [or gaol] and keep [him] there for the space of days for [his] contempt, unless in the meantime he consents to be examined and to answer concerning the premises.

Given under [my] hand, at , in the said State, this day of _____, 20____.

J.S., J.P.

page 36 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Recognisance to give evidence

(previously Form 26 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit. Be it remembered that on the _____ day of _____, 20___, C.D. of ______, in the said State, ______, came before [me] one of Her Majesty's Justices of the Peace in and for the said State [*or*, etc.], and acknowledged [himself] to owe to our Sovereign Lady the Queen the sum of ______, to be made and levied of [his] goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if [he] the said C.D. shall fail in the condition endorsed.

Taken and acknowledged before [me] the day and year first abovementioned, at _____, in the said State.

J.S., J.P.

Condition

The condition of the within-written recognisance is such that whereas A.B. was this day charged before [me], J.S., the Justice of the Peace within-mentioned, for that [etc., as in the caption of the depositions]: If, therefore [he], the said C.D., shall appear at the next criminal sitting of the Supreme Court [or as the case may be], to be holden ______, in the State of Western Australia, ______, the _____ day of ______, 20____, and there give evidence upon an information to be then preferred against the said A.B. for the offence aforesaid, then the said recognisance to be void, or else to stand in full force and virtue.

Ceased on 02 May 2005 Version 01-m0-07 page 37 Extract from www.slp.wa.gov.au, see that website for further information

Notice of recognisance to be given to the witnesses

(previously Form 27 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit.

Take notice that you, C.D., of ______, in the said State, are bound in the sum of ______, to appear at the next [*as in the Condition*], and then and there to give evidence against A.B., and unless you then appear and give evidence accordingly the recognisance entered into by you will be forthwith put in suit and enforced against you.

Dated this _____ day of _____, 20____.

J.S., J.P.

page 38 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Commitment of witness for refusing to enter into recognisance

(previously Form 58 in the Fourth Schedule to the Act)

To all police officers in the State of Western Australia and to all persons authorised to exercise a power set out in clause 2 or 3, as the case requires, of Schedule 2 to the *Court Security and Custodial Services Act 1999*, and to the superintendent [*or* keeper] of Her Majesty's prison [*or* the gaol] at

____, in the said State.

Whereas on the _____ day of _____, 20___, and upon the hearing of a charge before the undersigned, [one] of Her Majesty's Justices of the Peace for the said State [or, etc.] that [etc., as in the summons or warrant] , in the said State , having been examined as E.F., of a witness touching the premises, and being required to enter into a recognisance conditioned to give evidence against the said A.B., refused so to do: These are therefore to command you, the said police officers or authorised persons, to convey the said E.F. to Her Majesty's prison [or the gaol] at , in the said State, and deliver [him] to the said superintendent [or keeper] thereof, together with this warrant, and [1] hereby command you the said superintendent [or keeper] of the said prison [or gaol], to receive the said E.F. into your custody in the said prison [or gaol], there to keep [him] until after the trial of the said A.B. for the offence aforesaid, unless in the meantime the said E.F. duly enters into such recognisance as aforesaid in the sum of \$, before some Justice of the Peace, conditioned to appear at the next criminal sittings of the Supreme Court [*or as the case may be*] to be held at in the said State, on the _____ day of _____ [or as the case may be], and there to give evidence upon any complaint which may be then and there preferred against the said A.B. for the offence aforesaid, and also to give evidence upon the trial of the said A.B. for the said offence.

Given under [*my*] hand, at _____, in the said State, this _____ day of _____, 20___.

J.S., J.P.

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

Order to discharge a witness upon prisoner not being committed for trial

(previously Form 70 in the Fourth Schedule to the Act)

To the Superintendent [*or* keeper] of Her Majesty's prison [*or* the gaol] at , in the State of Western Australia.

Whereas by a warrant, dated the ______ day of ______, 20____, under the hand of L.M. [*one*] of Her Majesty's Justices of the Peace for the said State [*or* etc.], reciting that upon the hearing of a charge against one A.B. for a certain offence therein mentioned, E.F. having been examined as a witness, refused to enter into a recognisance, to give evidence against the said A.B., the said L.M. committed the said E.F. to your custody, and required you to keep [him] until after the trial of the said A.B. for the offence aforesaid, unless in the meantime the said E.F. should enter into such recognisance as aforesaid: And whereas the said A.B. has not been committed for trial or held to bail for the said offence, but has been discharged: These are therefore to direct you to discharge the said E.F. out of your custody and suffer [him] to go at large as to the said commitment.

Given under	[my] hand, at	in the said State,	this	day
of	, 20			

J.S., J.P.



Certificate of non-appearance or default to be endorsed on a recognisance

(previously Form 21 in the Fourth Schedule to the Act)

[I] hereby certify that the said A.B. did not appear at the time and place in the condition of the within-written recognisance mentioned.

J.S., J.P.

Form 24

Depositions of witnesses

(previously Form 29 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit. The examination of C.D., of ______, and E.F., ______ of _____, taken this ______ day of ______, 20____, at _____ in the said State, before the undersigned [one], of Her Majesty's Justices of the Peace for the said State [*or*, etc.], in the presence and hearing of

A.B., who is charged this day before [me] that [he] [etc., describing the offence as in a warrant of commitment.]

C.D., on his oath [or affirmation] says as follows [etc., state the deposition of the witness as nearly as possible in the words he uses, and when his deposition is complete let him sign it].

E.F., upon his oath [or affirmation] say as follows [etc.]

Taken and sworn [*or* affirmed] before [*me*] ______ at _____ in the said State, on the day and year first abovementioned.

J.S., J.P.

Ceased on 02 May 2005 Version 01-m0-07 page 41 Extract from www.slp.wa.gov.au, see that website for further information

Form 25 Statement of the defendant

(previously Form 30 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit.

A.B. stands charged before the undersigned [*one*] of Her Majesty's Justices of the Peace for the said State [*or*, etc.], this ______ day of ______, 20_____, that [he], [*etc., as in the caption of the depositions*], and the charge being read to the said A.B. and the witnesses for the prosecution, C.D. and E.F. being severally examined in [his] presence, the said A.B. is now addressed by [*me*] as follows: — "Having heard the evidence, do you wish to say anything in answer to the charge? You are not obliged to say anything unless you desire to do so, but whatever you say will be taken down in writing, and may be given in evidence against you upon your trial." Whereupon the said A.B. says as follows — [*here state whatever the prisoner may say, and in his very words, as nearly as possible: get him to sign it if he will*]. A.B.

Taken before [*me*] at ______ in the said State, the day and year first abovementioned.

J.S., J.P.

Form 26

Gaoler's receipt for the prisoner

(previously Form 67 in the Fourth Schedule to the Act)

I hereby certify that I have received from W.T., police officer, of ______, in the State of Western Australia, the body of A.B., in good health [*or as the case may be*], together with a warrant under the hand of J.S., Esquire, [*one*] of Her Majesty's Justices of the Peace for the said State [*or*, etc.].

P.K., Superintendent [*or* keeper] of the Prison.

page 42 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Order of dismissal of complaint

(previously Form 40 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit.

Be it remembered that on the _____ day of _____, 20____, a complaint was made that [etc., as in the summons to the defendant or warrant], _ day of ______, 20____, at _____, in the said and on this State, the said complaint came on for hearing before the undersigned [one] of Her Majesty's Justices of the Peace for the said State [or, etc.] whereupon it appears to [me] that the said complaint is not proved [or the complainant did not appear], and [I] therefore dismiss the said complaint [and adjudge that the said C.D., pay to the said A.B. the sum of for the costs incurred by [him] in [his] defence, and if the said sum is not paid forthwith [or on or before], *[I] order that the same be levied by execution against the goods and chattels of the said C.D., and in default of sufficient goods and chattels* [1] adjudge the said C.D. to be imprisoned in Her Majesty's prison [or the (police) gaol] at _____ unless the said for the term of sum and all costs and charges of the said execution [and of taking and conveying the said C.D. to prison] are sooner paid. Given under [my] hand, at ______, in the said State this ______ day of

Given under [my] hand, at _____, in the said State this _____ day of _____, 20____.

J.S., J.P.

* Or where the issuing of warrant of execution would be more injurious to the defendant or his family, than imprisonment, or it appears that he has no goods whereon to levy, then instead of the words between the asterisks ** say — "Inasmuch as it appears to [me] that the issuing of a warrant of execution would be more injurious to the said A.B. and his family than imprisonment" [or "that the said A.B. has no goods or chattels whereon to levy the said sums], [I] adjudge" [etc., as above, to the end, but omitting the words "of the said execution and"].

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

Form 28 Certificate of dismissal

(previously Form 41 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit.

[I] the und	lersigned [one] of H	er Majesty's Justice	es of the Peace	for the
said State [or, et	c.], hereby certify th	at on the	day of	,
20, at	, at	, in the said S	State, A.B. was	charged
before [me], that	[he] the said A.B. [etc., stating the offe	ence and the tin	ne and
<i>place when and</i> dismissed the sa	<i>where alleged to ha</i> id complaint.	ve been committed]	, and that [<i>I</i>] the	ereupon
Given under [my, 2	[,]] hand, at 0 .	, in the said Sta	ate this	_ day of

J.S., J.P.

page 44 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Order for any matter where the disobeying of it is punishable by imprisonment

(previously Form 44 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit.

Be it remembered that on the day of , 20 , complaint was made before the undersigned, [one] of Her Majesty's Justices of the Peace for the said State [or, etc.], that [stating the facts entitling the complainant to the order, with the time and place when and where they occurred], and on the _____ day of _____, 20___, at ____, in the said State, having heard the said complaint, [*I*] adjudge the said A.B. to [*here state the matter required to be done*], and if upon a copy of the minute of this order being served upon the said A.B. either personally or by leaving the same for [him] at [his] last known or usual place of abode, [he] shall neglect or refuse to obey the same, [I], adjudge the said A.B. to be imprisoned in Her Majesty's prison [*or* the (police) gaol] at _____, for the term of _____ [unless the said order is sooner obeyed if the statute authorise this], and [I] also adjudge the said A.B. to pay to the said C.D. the sum of for costs, and if the said sum is not paid forthwith [or on or before _____next], [I] order the same to be levied by execution against the goods and chattels of the said A.B. and in default of sufficient goods and chattels [1] adjudge the said A.B. to be imprisoned in the said prison for the term of _____, to commence at and from the termination of [his] imprisonment aforesaid, unless the said sum for costs, and all the costs and charges of the said execution [and of taking and conveying the said A.B. to prison] are sooner paid.

Given under [my] hand, at _____, in the said State, this _____ day of , 20 .

J.S., J.P.

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

Warrant of Commitment on an order where the disobeying of it is punishable by imprisonment

(previously Form 61 in the Fourth Schedule to the Act)

To all police officers in the State of Western Australia, and to the superintendent [*or* keeper] of Her Majesty's prison [*or* the gaol] at , in the said State.

Whereas on the day of , 20 , upon the hearing of a complaint before the undersigned, [one] of Her Majesty's Justices of the Peace for the said State [or, etc.], that [etc., as in the order], [I] adjudged the said A.B. to [etc., as in the order], and ordered that if upon a copy of the minute of that order being served upon the said A.B. either personally or by leaving the same for [him] at [his] last known or usual place of abode [he] should refuse or neglect to obey the same, the said A.B. should be imprisoned in Her Majesty's prison [or the gaol] at in the said State for the term of unless the said order should be obeyed: And whereas it is now proved to [me] that after making of the said order a copy of the minute thereof was duly served upon the said A.B., but [he] then refused [or neglected] to obey the same, and has not as yet obeyed the said order: These are therefore to command you, the said police officers, to apprehend the said A.B. and convey [him] to the prison [or gaol] at aforesaid, and deliver him to the superintendent [or keeper] thereof, together with this warrant and [1] hereby command you, the said superintendent or officer in charge of the said prison, [or gaol] to receive the said A.B. into your custody in the said prison [or gaol], there to imprison [him] for the term of

Given under [*my*] hand, at _____, in the said State, this _____ day of _____, 20___.

J.S., J.P.

page 46 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Certificate that the costs of an appeal are not paid

(previously Form 5 in the Fourth Schedule to the Act)

In The District Court of Western Australia [*or as the case may be*] holden at ______

[*Title of the appeal*]

I hereby certify that at a sitting of The District Court of Western Australia [or as the case may be], holden at _____ on the day of 20____, an appeal by A.B. against a [conviction] of J.S., Esquire, [one] of Her Majesty's Justices of the Peace for the said State [or etc.], came on to be tried and was then heard and determined, and the said court thereupon ordered that the said [conviction] should be affirmed [or reversed], and that the said [appellant] should pay to the said [respondent] the sum of [his] costs of the said appeal, and which sum was ordered to be paid to the Registrar [or as the case may be] of the said court, on or before the day of , 20____, to be by him handed over to the said [respondent]; and I further certify that the said sum for costs has not, nor has any part thereof, been paid in obedience to the said order.

Dated the day of , 20 .

G.H. Registrar of the said court [or as the case may be].

Ceased on 02 May 2005 Version 01-m0-07 particular terms of the set of the set

Complaint to ground search warrant

(previously Form 2 in the Fourth Schedule to the Act)

Western Australia, [Perth] to wit.

The complaint of C.D., of _______ in the said State, ______, made this ______day of ______, 20____, before the undersigned, one of Her Majesty's Justices of the Peace for the said State [*or* for the magisterial district of _______, in the said State], who says that the following goods of [him], the said C.D., to wit [*describe them*] were, on the ______ day of ______ [*or* have lately been] feloniously stolen, taken, and carried away, from and out of the dwelling-house [*or as the case may be*] of the said C.D., situated at _______, in the said State; and that he, the said C.D. has reasonable cause to suspect, and does suspect, that the said goods, or part thereof, are concealed in the dwelling-house or premises [*or as the case may be*] in the occupation of A.B., situated at ______, in the said State. [*Here state grounds of suspicion*] Sworn [*or* made] before me, the day and year first abovementioned, at

_____, in the said State.

J.S., J.P.

page 48 Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information

Search Warrant

(previously Form 9 in the Fourth Schedule to the Act)

To the principal police officer at ______, in the said State of Western Australia, and all other police officers in the said State.

Whereas a complaint has this day been made upon oath before the undersigned, one of Her Majesty's Justices of the Peace for the said State [*or*, etc.], for that [*etc., as in Form 15 to the end, then thus*]: These are therefore to command you, in Her Majesty's name, forthwith, with proper assistance, to enter the said dwelling-house and premises [*or as the case may be*] of the said A.B. [in the day time], and there diligently search for the said goods; and if the same, or any part thereof, are found upon search, that you attach the goods so found [and apprehend the said A.B., and bring (him) before some one or more of Her Majesty's Justices of the Peace, to give an account of how he came by the said goods, and to be further dealt with according to law.]

Given under my hand, at _____, in the said State, this _____ day of _____, 20___.

J.S., J.P.

[Schedule amended in Gazette 22 April 1983 pp.1241-3; (corrigendum in Gazette 13 May 1983 p.1431); 5 March 1993 p.1448-9; 3 December 1993 pp.6458-9; 30 June 1995 pp.2634-6; 5 July 1996 pp.3230-2; 4 October 1996 pp.5237-9; 17 September 1999 pp.4558-9; 24 September 1999 pp.4652-63; 17 April 2003 p.1244.]

Ceased on 02 May 2005 Version 01-m0-07 Extract from www.slp.wa.gov.au, see that website for further information

1

Notes

This is a compilation of the *Justices (Forms) Regulations 1982* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
Justices (Forms) Regulations 1982	6 Aug 1982 p. 3059-64	6 Aug 1982
	22 Apr 1983 p. 1240-3	22 Apr 1983
	(Corrigendum 13 May 1983 p. 1431)	
Justices (Forms) Amendment Regulations 1993	5 Mar 1993 p. 1448-9	5 Mar 1993
Justices (Forms) Amendment Regulations (No. 2) 1993	3 Dec 1993 p. 6458-9	3 Dec 1993
Justices (Forms) Amendment Regulations (No. 2) 1995	30 Jun 1995 p. 2634-6	30 Jun 1995
Justices (Forms) Amendment Regulations 1996	5 Jul 1996 p. 3229-32	5 Jul 1996
Justices (Forms) Amendment Regulations (No. 2) 1996	4 Oct 1996 p. 5236-9	4 Nov 1996 (see r. 2 and <i>Gazette</i> 25 Oct 1996 p. 5632).
Justices (Forms) Amendment Regulations 1999	24 Sep 1999 p. 4651-63	25 Sep 1999 (see r. 2 and <i>Gazette</i> 24 Sep 1999 p. 4651)
Justices (Forms) Amendment Regulations (No. 2) 1999	17 Sep 1999 p. 4557-9	1 Oct 1999 (see r. 2)
Justices (Forms) Amendment Regulations 2000	28 Jul 2000 p. 4009-11	28 Jul 2000
Justices (Forms) Amendment Regulations 2003	17 Apr 2003 p. 1243-4	17 Apr 2003

These regulations were repealed as a result of the repeal of the *Justices Act 1902* by the *Criminal Procedure and Appeals (Consequential and Other Provisions) Act 2004* s. 4(1) (No. 84 of 2004) as at 2 May 2005 (see s. 2 and *Gazette* 31 Dec 2004 p. 7129 and 7 Jan 2005 p. 53)

page 50

U Version 01-m0-07 Ceased on 02 May 2005 Extract from www.slp.wa.gov.au, see that website for further information