

DEFENCE.

No. 50 of 1932.

An Act to amend the *Defence Act* 1903-1927.

[Assented to 21st November, 1932.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1.—(1.) This Act may be cited as the *Defence Act* 1932.

Short title and
citation.

(2.) The *Defence Act* 1903-1927 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Defence Act* 1903-1932.

2. Section seventy-nine of the Principal Act is amended by inserting, after sub-section (1.), the following sub-section :—

Unlawfully
disposing of
arms, &c.

“(1A.) In any prosecution under this section for failure to deliver up when lawfully required so to do any arms, accoutrements or other naval or military articles belonging to the Commonwealth or to any corps—

(a) if it is proved to the satisfaction of the Court that any such article was in the possession of the defendant at any time prior to the time at which he was required to deliver up the article, he shall be deemed, in the absence of proof by him of the lawful disposal of the article, to have continued in possession of the article up to the time when he was required to deliver up the article; and

(b) inability to deliver up the article shall not be a defence unless the defendant proves to the satisfaction of the Court that such inability did not arise from any negligence or wrongful act or omission on his part.”.