SERVICE AND EXECUTION OF PROCESS.

**No. 6 of 1958.**

An Act to amend the *Service and Execution of Process Act* 1901–1953.

[Assented to 23rd April, 1958.]

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

**Short title and citation.**

**1.**—(1.) This Act may be cited as the *Service and Execution of Process Act* 1958.

(2.) The *Service and Execution of Process Act* 1901–1953 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Service and Execution of Process Act* 1901–1958.

**Commencement.**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Definitions.**

**3.** Section three of the Principal Act is amended by omitting from paragraph (*f*) the word “King” (wherever occurring) and inserting in its stead the word “Crown”.

**Subpoena or summons to witness may be served in another State by leave of a Court, &c.**

**4.** Section sixteen of the Principal Act is amended—

(*a*)by omitting from sub-section (1.) the words “by any Court or Judge, or Police, Stipendiary, or Special Magistrate” and inserting in their stead the words “by or out of a Court, or by a Judge, a Police, Stipendiary or Special Magistrate or a Coroner,”;

(*b*)by inserting in sub-section (1.), after the word “proceeding”, the words “(including any proceeding before a Coroner)”;

(*c*) by omitting from sub-sections (1.) and (2.) the words “or Magistrate” (wherever occurring) and inserting in their stead the words “Magistrate or Coroner”; and

(*d*)by omitting sub-section (3.).

**Backing of warrant for execution out of the State or part of the Commonwealth in which it was issued.**

**5.** Section eighteen of the Principal Act is amended—

(*a*)by inserting in sub-section (1.), after the word “Magistrate,” (first occurring), the words “a Coroner,”;

(*b*)by inserting in sub-section (1.), after the words “in accordance with”, the words “section sixteen of this Act or”; and

(*c*) by inserting in sub-section (1.), after the word “Magistrate,” (third and fourth occurring), the word “Coroner,”.