

1904.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1^o 13 April, 1904.

(Brought from the Senate.)

A BILL

FOR

AN ACT

No. 2

For the Interpretation of Acts of Parliament and for Further Shortening their Language.

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. This Act may be cited as the *Acts Interpretation Act* 1904, and shall be construed with the *Acts Interpretation Act* 1901. Short title.

2. This Act shall apply to all Acts of the Parliament passed after the commencement of this Act. Application.

3. The penalty, pecuniary or other, set out—

10 (a) at the foot of any section of any Act; or
(b) at the foot of any sub-section of any section of any Act, but not at the foot of the section, Penalties at foot of sections, or sub-sections,

shall indicate that any contravention of the section or of the sub-section respectively, whether by act or omission, shall be an offence against the Act, punishable upon conviction by a penalty not exceeding the penalty mentioned.

15 Provided that where the penalty is expressed to apply to a part only of the section or sub-section, it shall apply to that part only.

4. Offences

Indictable offences.

4. Offences against any Act which are punishable by imprisonment for a period exceeding six months shall, unless the contrary intention appears in the Act, be indictable offences.

Offences punishable by summary conviction.

5. Offences against any Act which—

(a) are punishable by imprisonment, but not for a period exceeding six months; or

(b) not being punishable by imprisonment, are not declared to be indictable offences,

shall, unless the contrary intention appears in the Act, be punishable on summary conviction.

Pecuniary penalties.

6. All pecuniary penalties for any offence against any Act may, unless the contrary intention appears in the Act, be recovered in any court of summary jurisdiction.

Imprisonment.

7. Where under any Act imprisonment may be awarded for any offence, it may be awarded with or without hard labour.

Aiding or abetting an offence to be deemed an offence.

8. Whoever aids, abets, counsels, or procures, or by act or omission is in any way directly or indirectly concerned in, the commission of an offence against any Act, shall, unless the contrary intention appears in the Act, be deemed to have committed the offence and be punishable accordingly.

Attempt to commit an offence to be deemed an offence.

9. Any attempt to commit an offence against any Act shall, unless the contrary intention appears in the Act, be an offence against the Act, punishable as if the offence had been committed.

Definitions.

10. In any Act, unless the contrary intention appears—

“Justice of the Peace” includes a Justice of the Peace for a State or part of a State;

“Prescribed” means prescribed by the Act, or by Regulations under the Act;

“Regulations” means regulations under the Act.

Regulations.

11. Where an Act confers power to make Regulations, all Regulations made accordingly shall, unless the contrary intention appears—

(a) be notified in the *Gazette*;

(b) take effect from the date of notification, or from a later date specified in the Regulations;

(c) be laid before both Houses of the Parliament within thirty days of the making thereof, or, if the Parliament is not then sitting, within thirty days after the next meeting of the Parliament.

But if either House of the Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation such regulation shall thereupon cease to have effect.

1904.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1° 13 April, 1904.

(As ordered, 14th April, 1904, to be read a third time.)

(Brought from the Senate.)

A BILL

FOR

AN ACT

For the Interpretation of Acts of Parliament and for Further Shortening their Language.

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. This Act may be cited as the *Acts Interpretation Act* 1904, and shall be construed with the *Acts Interpretation Act* 1901.

2. This Act shall apply to all Acts of the Parliament passed after the commencement of this Act.

3. The penalty, pecuniary or other, set out—

- (a) at the foot of any section of any Act ; or
(b) at the foot of any sub-section of any section of any Act, but not at the foot of the section,

Penalties at foot of sections or sub-sections.

shall indicate that any contravention of the section or of the sub-section respectively, whether by act or omission, shall be an offence against the Act, punishable upon conviction by a penalty not exceeding the penalty mentioned.

Provided that where the penalty is expressed to apply to a part only of the section or sub-section, it shall apply to that part only.

4. Offences

- Indictable offences. 4. Offences against any Act which are punishable by imprisonment for a period exceeding six months shall, unless the contrary intention appears in the Act, be indictable offences.
- Offences punishable by summary conviction. 5. Offences against any Act which—
 (a) are punishable by imprisonment, but not for a period exceeding six months; or
 (b) not being punishable by imprisonment, are not declared to be indictable offences,
 shall, unless the contrary intention appears in the Act, be punishable on summary conviction. 5 10
- Pecuniary penalties. 6. All pecuniary penalties for any offence against any Act may, unless the contrary intention appears in the Act, be recovered in any court of summary jurisdiction.
- Imprisonment. 7. Where under any Act imprisonment may be awarded for any offence, it may be awarded with or without hard labour. 15
- Attempt to commit an offence to be deemed an offence. 9. Any attempt to commit an offence against any Act shall, unless the contrary intention appears in the Act, be an offence against the Act, punishable as if the offence had been committed.
- Definitions. 10. In any Act, unless the contrary intention appears—
 “Justice of the Peace” includes a Justice of the Peace for a State or part of a State; 20
 “Prescribed” means prescribed by the Act, or by Regulations under the Act;
 “Regulations” means regulations under the Act.
- Regulations. 11. Where an Act confers power to make Regulations, all Regulations made accordingly shall, unless the contrary intention appears— 25
 (a) be notified in the *Gazette* ;
 (b) take effect from the date of notification, or from a later date specified in the Regulations ;
 (c) be laid before both Houses of the Parliament within thirty 30
 days of the making thereof, or, if the Parliament is not then sitting, within thirty days after the next meeting of the Parliament.
- But if either House of the Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation such regulation shall thereupon cease to have effect. 35