

## TASMANIA

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## JUSTICES (VALIDATION) BILL 2021

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# JUSTICES (VALIDATION) BILL 2021

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*  
11 November 2021

*(Brought in by the Minister for Justice, the Honourable Elise  
Nicole Archer)*

## A BILL FOR

**An Act to amend the *Justices Act 1959* and to validate  
certain summonses and warrants**

Be it enacted by Her Excellency the Governor of Tasmania, by  
and with the advice and consent of the Legislative Council and  
House of Assembly, in Parliament assembled, as follows:

### 1. Short title

This Act may be cited as the *Justices  
(Validation) Act 2021*.

### 2. Commencement

This Act commences on the day on which this  
Act receives the Royal Assent.

### 3. Validation of certain summons and warrants

(1) In this section –

*commencement day* means the day on which  
this Act commences.

*Justices (Validation) Act 2021*  
*Act No. of 2021*

s. 4

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- (2) A summons or warrant that was, on a day (the ***relevant day***) that occurred before the commencement day, purportedly issued under section 41 of the *Justices Act 1959* to a person is as valid, and is to be taken to have always been as valid, as the summons or warrant would have been if, immediately before the relevant day, the amendments to that section made by this Act had been in effect.

**4. Principal Act**

In this Act, the *Justices Act 1959*\* is referred to as the Principal Act.

**5. Section 23 amended (Powers of single justice)**

Section 23(b) of the Principal Act is amended by inserting “in relation to the matter of a complaint or the matter to which an application under Part XA of this Act, or Part 3 or 4 of the *Family Violence Act 2004*, relates” after “witnesses”.

**6. Section 41 amended (Justice may summon witnesses to attend and give evidence)**

Section 41(1) of the Principal Act is amended by inserting “or the matter to which an application under Part XA of this Act, or Part 3 or 4 of the *Family Violence Act 2004*, relates” after “complaint”.

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\*No. 77 of 1959