



## ANALYSIS

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| <p>Title.</p> <p>1. Short Title and commencement.</p> <p style="text-align: center;"><i>Appeals</i></p> <p>2. Appeal on question of law only, by way of case stated. Repeal.</p> <p>3. Provisions as to issue of warrant pending appeal.</p> <p>4. Admission to bail of appellant in custody.</p> <p>5. Custody of appellant pending appeal.</p> <p>6. General right of appeal to Supreme Court.</p> <p>7. Notice of appeal.</p> <p>8. Application of provisions of Part IX as to issue of warrant, bail, and custody pending appeal.</p> <p>9. Transmission of notice of appeal to Supreme Court, and setting down for hearing.</p> <p>10. Powers of Judge of Supreme Court as to extension of time.</p> <p>11. Custody of appellant liable to imprisonment after determination of appeal.</p> <p>12. No Court fees payable on appeal by person sentenced to imprisonment.</p> <p>13. Consequential amendments.</p> | <p>14. Application of foregoing provisions to pending appeals, and to convictions before commencement of this Act.</p> <p style="text-align: center;"><i>Miscellaneous</i></p> <p>15. Section 9 of principal Act (as to rota of Justices) amended.</p> <p>16. Appointment and powers of special constables. Consequential repeals.</p> <p>17. Section 55 of principal Act (as to issue of summons, &amp;c.) amended.</p> <p>18. Section 72 of principal Act (as to amendment of information) amended.</p> <p>19. Provision for arrest of accused if about to abscond while on bail.</p> <p>20. Section 124 of principal Act (as to right to claim trial by jury) amended.</p> <p>21. Power to award costs to accused in certain cases where charge of indictable offence dismissed.</p> <p>22. Repeal of provisions as to method of payment of witnesses' expenses in indictable cases.</p> <p>23. Translations of documents into Maori language.</p> <p>Schedules.</p> |
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## 1952, No. 44

AN ACT to amend the Justices of the Peace Act 1927. Title.  
[22 October 1952

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the Justices of the Peace Amendment Act 1952, and shall be read together with and deemed part of the Justices of the Peace Act 1927 (hereinafter referred to as the principal Act). Short Title and commencement.  
See Reprint of Statutes, Vol. II, p. 351

(2) This Act shall come into force on the first day of December, nineteen hundred and fifty-two.

*Appeals*

2. (1) The principal Act is hereby amended by repealing section three hundred and three, and substituting the following section:— Appeal on question of law only, by way of case stated.

“303. (1) At any time within ten days after the determination by a Justice of any information or complaint that he has power to determine in a summary way, either party to the proceeding before the Justice may, if dissatisfied with the determination as being erroneous in point of law, file in the office of the Magistrate's Court where the proceeding was heard a notice in writing of his intention to appeal to the Supreme Court by way of case stated for the opinion of that Court on a question of law only. The notice shall be filed in duplicate, and the Registrar shall forthwith deliver or post one copy thereof to the respondent.

“(2) The appellant shall, within twenty-one days after the determination to which the appeal relates, or within such further time as the Justice, or, if he is not available, a Magistrate, may in his discretion allow, state in writing a case setting out the facts and the grounds of the determination and specifying the question of law on which the appeal is made, and submit it to the Justice whose determination is appealed against. The case may be in the form No. 51 in the First Schedule to this Act, or to the like effect.

“(3) As soon as may be practicable after receiving the case stated as aforesaid, the Justice shall, after hearing the parties if he considers it necessary so to do, settle the case, sign it, and deliver or send it to the

Registrar of the Magistrate's Court in which the proceeding to which the appeal relates was heard. The settling and signing of the case shall be deemed for the purposes of this Part of this Act to be the statement of the case by the Justice.

“(4) The Registrar shall then send to the nearest Supreme Court Registry in the judicial district within which the Magistrate's Court is situated the case signed by the Justice, together with any recognizance of bail entered into by the appellant.

“(5) When the Registrar of the Supreme Court receives the case stated, he shall set it down for hearing on the first practicable sitting day in the most convenient place where sittings of the Supreme Court are held, whether or not that place is in the same judicial district, and shall notify the parties to the appeal of the time and place appointed for the hearing.

“(6) If within twenty-one days after the determination to which the appeal relates, or within such further time as may be allowed as aforesaid, the appellant does not submit a case to the Justice pursuant to subsection two of this section, the Justice may certify that the appeal has not been prosecuted.”

(2) Form No. 51 in the First Schedule to the principal Act is hereby amended by omitting the third paragraph, and substituting the following paragraph:—

“The defendant [*or complainant*], within ten days after the said determination, filed in the office of the Magistrate's Court at \_\_\_\_\_ a notice of his intention to appeal by way of case stated for the opinion of this honourable Court on a question of law only; and we therefore state the following case:—”

Repeal.

(3) Section three hundred and five of the principal Act (which relates to the giving of security on an appeal) is hereby repealed.

Provisions as to issue of warrant pending appeal.

3. The principal Act is hereby further amended by repealing section three hundred and six, and substituting the following section:—

“306. (1) Where under any such determination as aforesaid any person has been sentenced to a term of imprisonment or detention, the warrant of commitment or other order in execution of the sentence shall be

issued forthwith, notwithstanding that that person may have given or may intend to give notice of his intention to appeal against the determination.

“(2) Where any warrant of commitment or order to serve a sentence of imprisonment or detention is issued against an appellant pursuant to subsection one of this section, and the appellant is admitted to bail before the warrant or order is executed, the warrant or order shall be deemed to be suspended until the appeal has been determined or, as the case may be, until the Justice or the Registrar of the Supreme Court has certified that it has not been duly prosecuted.

“(3) Except as provided in subsection one of this section, no Justice shall issue any warrant or order in execution of any determination in respect of which a notice of intention to appeal has been filed until the appeal has been determined or, as the case may be, until the Justice or the Registrar of the Supreme Court has certified that it has not been duly prosecuted:

“ Provided that a warrant or order may be issued in any proceedings under the Destitute Persons Act 1910, or where any enactment expressly authorizes the levy of any sum to be made notwithstanding the appeal, or where any person ordered to enter into a recognizance of the peace has failed to enter into the required recognizance.

See Reprint  
of Statutes,  
Vol. II, p. 896

“(4) Where any warrant of distress is issued or executed before a notice of intention to appeal is filed, any Justice, on application made to him in that behalf after the filing of such a notice, shall order that the warrant shall not be executed, or, if it has been executed and the goods or chattels distrained have not been sold, that the goods or chattels shall be returned to the owner.”

4. The principal Act is hereby further amended by inserting, after section three hundred and six, the following section:—

Admission  
to bail of  
appellant  
in custody.

“ 306A. (1) Subject to the provisions of this section, an appellant who is in custody under the conviction or order to which his appeal relates shall be bailable, at any time before the hearing of the appeal, at the discretion of the Justice whose determination is appealed against, or, if that Justice is not available, at the discretion of some other Justice.

“(2) Where any such appellant as aforesaid is admitted to bail, he shall, if he is in custody only under the conviction or order to which his appeal relates, be released from custody on entering into a recognizance before a Justice, or before a Registrar of any Magistrate’s Court, in such sum, and with or without a surety or sureties as the Justice admitting him to bail directs, conditioned for his appearance at the Supreme Court on the day on which the appeal is to be heard, and on any day to which the hearing may be from time to time adjourned.

“(3) Any appellant may at any time apply to a Judge of the Supreme Court to review any decision of a Justice granting or refusing bail under this section. On any such application the Judge may, in his discretion, confirm, modify, or reverse the decision.

“(4) Where an appellant is released on bail, any Justice, if satisfied on the oath of the respondent or of any surety, or on the oath of some person on behalf of the respondent or any surety, that the appellant is about to abscond for the purpose of evading justice, may issue his warrant for the apprehension of the appellant. When the appellant is apprehended pursuant to the warrant, any Justice, on being satisfied that the ends of justice would otherwise be defeated, may commit the appellant to prison until the hearing.”

Custody of  
appellant  
pending appeal.

5. The principal Act is hereby further amended by inserting, after section three hundred and six A (as inserted by section four of this Act), the following section:—

“306B. (1) A prisoner or person undergoing detention who, to the knowledge of the controlling officer of the prison or institution to which he has been committed, has appealed under this Act against a conviction or order, and who is in custody only under the conviction or order appealed against and is not released on bail, shall, pending the determination of his appeal, be treated in the same manner as a prisoner before trial.

“(2) Any such prisoner or person as aforesaid who has appealed only against the sentence imposed on him shall, pending the determination of his appeal, be treated in the manner required by the sentence.

“(3) The time during which an appellant, pending the determination of his appeal, is released on bail and, subject to any directions that the Supreme Court may give to the contrary on any appeal, the time during which the appellant, if in custody, is specially treated as an appellant under subsection one of this section, shall not count as part of any term of imprisonment or detention under his sentence; and any imprisonment or detention under his sentence, whether it is the sentence passed by the Magistrate’s Court or the sentence passed or modified by the Supreme Court, shall, subject to any directions that may be given by the Supreme Court as aforesaid, be deemed to be resumed or to begin to run, as the case requires, if the appellant is in custody, as from the day on which the appeal is determined, and, if he is not in custody, as from the day on which he is received into custody following the determination of the appeal.

“(4) An appellant who is in custody may, without further authority than this subsection, be taken by the Gaoler or other officer for the time being in charge of the prison or institution in which he is detained, or by any other officer acting under the express authority of the Gaoler or officer in charge, to the Supreme Court for the hearing of the appeal, and shall, unless his release is ordered by the Supreme Court and except while in the custody of the Court, remain in the custody of the escorting officer until returned to the prison or institution in which he is to be detained.”

6. The principal Act is hereby further amended by repealing section three hundred and fifteen, and substituting the following section:—

General right  
of appeal to  
Supreme Court.

“ 315. (1) Except as expressly provided by this Act or by any other enactment, where, on the determination by a Justice of any information or complaint that he has power to determine in a summary way, any defendant is convicted, or any sum of money is ordered to be paid otherwise than as costs on the dismissal of any information or complaint, or where any order for the estreat of a recognizance is made by Justices, the person convicted or against whom any such order is made may appeal to the Supreme Court.

“(2) In the case of a conviction, the appeal may be against the conviction and the sentence passed on the conviction, or against the conviction only, or against the sentence only; and in the case of an order for the payment of money the appeal may be against the order or only against the amount of the sum ordered to be paid.”

Notice of  
appeal.

7. (1) The principal Act is hereby further amended by repealing section three hundred and sixteen, and substituting the following section:—

“316. (1) The appellant under section three hundred and fifteen of this Act shall, within ten days after the conviction or sentence, or the making of the order, file in the office of the Magistrate’s Court whose determination is appealed against a notice in writing of the appeal and of the matter and grounds thereof. The notice shall be filed in duplicate.

“(2) The Registrar receiving the notice shall forthwith deliver or post one copy to the respondent, and notify the Justice whose decision is appealed against of the appeal and of the matter and grounds thereof.

“(3) A notice of appeal may be in the form No. 52 in the First Schedule to this Act, or to the like effect.”

(2) The First Schedule to the principal Act is hereby amended by repealing form No. 52, and substituting the new form No. 52 set out in the First Schedule to this Act.

Application  
of provisions of  
Part IX as to  
issue of  
warrant, bail,  
and custody  
pending appeal.

8. The principal Act is hereby further amended by repealing section three hundred and seventeen, and substituting the following section:—

“317. The provisions of sections three hundred and six to three hundred and six B of this Act (which relate to the issue of warrants or orders in execution, the admission of the appellant to bail, and the custody of an appellant pending the appeal) shall apply with respect to every appellant under this Part of this Act.”

Transmission  
of notice of  
appeal to  
Supreme Court,  
and setting  
down for  
hearing.

9. The principal Act is hereby further amended by repealing section three hundred and eighteen, and substituting the following section:—

“318. (1) The Registrar of the Magistrate’s Court shall forthwith send the notice of appeal to the nearest Supreme Court Registry in the judicial district within which that Magistrate’s Court is situated.

“(2) The Registrar shall send to the Supreme Court Registry with the notice of appeal any recognizance of bail entered into by the appellant, the information, charge sheet, or complaint, and a certified copy of the entries in the Criminal Record Book relating to the case.

“(3) When the Registrar of the Supreme Court receives the documents referred to in subsection two of this section, he shall set the appeal down for hearing on the first practicable sitting day in the most convenient place where sittings of the Supreme Court are held, whether or not that place is in the same judicial district, and shall notify the parties to the appeal of the time and place appointed for the hearing.”

10. The principal Act is hereby further amended by repealing section three hundred and thirty-two, and substituting the following section:—

Powers of  
Judge of  
Supreme Court  
as to extension  
of time.

“332. (1) Any Judge of the Supreme Court may, on the application of the appellant, extend any time prescribed or allowed under this Division of this Act for the filing of any notice or the stating of any case or the doing of any other thing in respect of any appeal or proposed appeal.

“(2) Any appellant or intending appellant may at any time apply to a Judge of the Supreme Court to review any decision of a Justice or Magistrate refusing an extension of time for the stating of a case under Part IX of this Act. On any such application the Judge may, in his discretion, confirm the decision, or reverse it and allow such extension of time as he thinks fit.”

11. The principal Act is hereby further amended by inserting, after section three hundred and thirty-four, the following section:—

Custody of  
appellant liable  
to imprisonment  
after  
determination  
of appeal.

“334A. (1) Notwithstanding anything in section three hundred and thirty-four of this Act, where any warrant of commitment or order to serve a sentence of imprisonment or detention has been issued pursuant to subsection one of section three hundred and six of this Act, the provisions of this section shall apply.



“(2) If when the appeal has been determined, or has not been duly prosecuted, there is a term of imprisonment or detention or any part thereof to be served by the appellant,—

“(a) The appellant may forthwith be arrested by any constable, or by any officer of any prison, and detained in custody for the purposes of being dealt with in accordance with any such warrant or order as aforesaid:

“(b) Any such warrant or order as aforesaid shall have effect subject to any amendment or variation by the Supreme Court of the conviction, order, or sentence to which the appeal related:

“(c) The Registrar of the Supreme Court shall send to the Gaoler or other officer for the time being in charge of the prison or institution in which the appellant is or is to be detained a certificate setting out the result of the appeal or, as the case may require, a certificate to the effect that the appeal has not been duly prosecuted; or, where under section three hundred and three of this Act the Justice has certified that the appeal has not been prosecuted, the Registrar of the Magistrate’s Court shall send that certificate to such Gaoler or other officer as aforesaid.”

No Court fees payable on appeal by person sentenced to imprisonment.

12. The principal Act is hereby further amended by inserting, after section three hundred and forty-two, the following section:—

“ 342A. Where an appellant has been sentenced to imprisonment or detention under the conviction or order to which his appeal relates, no Court fees shall be payable in respect of the appeal, either in a Magistrate’s Court or in the Supreme Court.”

Consequential amendments.

13. The enactments specified in the Second Schedule to this Act are hereby amended in the manner indicated in that Schedule.

Application of foregoing provisions to pending appeals, and to convictions before commencement of this Act.

14. (1) Where before the commencement of this Act any appellant has duly applied for a case to be stated under Part IX of the principal Act, or has duly given notice of appeal under Part X thereof, the provisions of

the principal Act as amended by this Act shall, as far as they are applicable and with all necessary modifications, apply to the appellant and to the appeal as from the commencement of this Act.

(2) The provisions of the principal Act as amended by this Act shall, subject to the provisions of subsection one of this section, apply, as from the commencement of this Act, to any conviction, sentence, or order made or given before the commencement of this Act.

#### *Miscellaneous*

**15.** Section nine of the principal Act is hereby amended as follows:—

Section 9 of principal Act (as to rota of Justices) amended.

(a) By omitting from subsection one the words “three miles”, and substituting the words “ten miles”:

(b) By omitting from subsection three the words “in rotation”.

**16.** (1) The principal Act is hereby further amended by repealing sections thirty-three to forty-three, and substituting the following section:—

Appointment and powers of special constables.

“33. (1) If at any time the Commissioner of Police is of opinion that the members of the Police Force serving in any place are not sufficient in number for the preservation of the public peace and for the protection of the inhabitants and the security of the property in that place, the Commissioner may direct any member of the Police Force to apply to any Justice to appoint such number of suitable persons as the Commissioner considers necessary to be special constables for the preservation of the public peace and for the protection of the inhabitants and the security of the property in that place.

“(2) On application being made as aforesaid, the Justice may appoint such persons as aforesaid, being persons willing to act, and shall administer to every person so appointed the oath in the form No. 3 in the First Schedule to this Act.

“(3) Every special constable shall be under the control and direction of the senior member of the Police Force for the time being acting in the locality in which is situated the place for which he was so appointed, and subject thereto shall, for the purpose of exercising the

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functions for which he was appointed, have such powers, authorities, immunities, duties, and responsibilities as he would have if he were a member of the Police Force appointed under the Police Force Act 1947.

“(4) The Commissioner of Police, or any commissioned officer of the Police Force for the time being acting in the locality for which special constables are appointed under this section, may at any time determine the services of or suspend or dismiss all or any of those special constables.

“(5) There may be paid to special constables such remuneration by way of fees, salary, allowances, or expenses as may from time to time be approved by the Minister of Finance.

“(6) The following provisions of the Police Force Act 1947 shall, with the necessary modifications, apply to special constables as if they were members of the Police Force, namely:—

“(a) Section fifteen (which authorizes the Commissioner of Police to issue general instructions for the guidance of members of the Force):

“(b) Section twenty-seven (which requires members of the Force, on ceasing to hold office, to return all Government property in their possession).

“(7) Regulations may be made under section fourteen of the Police Force Act 1947 fixing the conditions of appointment, resignation, and discharge of special constables, for securing that only fit and proper persons shall be appointed as special constables, and for rendering special constables efficient in the discharge of their duties.

“(8) Every person commits an offence and is liable on summary conviction before a Magistrate or any two or more Justices to a fine not exceeding ten pounds who, being a special constable, refuses or neglects to obey such orders, directions, or instructions as are lawfully given for the performance of his duties.”

Consequential  
repeals.

(2) The principal Act is hereby consequentially amended as follows:—

(a) By repealing sections forty-five and forty-six:

(b) By repealing form No. 2 in the First Schedule.

17. Section fifty-five of the principal Act is hereby amended by adding to subsection one the words " or by a Magistrate ".

Section 55 of principal Act (as to issue of summons, &c.) amended.

18. (1) Section seventy-two of the principal Act, as amended by section five of the Justices of the Peace Amendment Act 1948, is hereby further amended by repealing subsection nine, and substituting the following subsections:—

Section 72 of principal Act (as to amendment of information) amended.  
1948, No. 20

"(9) Where under subsection eight of this section any information is amended by substituting a summary offence for another summary offence or by substituting a summary offence for an indictable offence, either party, or his solicitor or counsel, shall have the right to examine or cross-examine any witness whose evidence has already been given in respect of the offence originally charged. Subject to the provisions of this subsection, any evidence already given shall be deemed to have been given in and for the purposes of the trial of the substituted offence.

"(10) Where under subsection eight of this section any information is amended by substituting an indictable offence for a summary offence, then—

"(a) If the indictable offence is one which may be dealt with in a summary way under Part V of this Act, the hearing of the case may be continued under and subject to the provisions of that Part:

"(b) If the indictable offence is not one which may be so dealt with, the Justices shall deal with the case under Part IV of this Act in all respects as if the defendant had been charged under that Part with the indictable offence.

"(11) The Justices may, at the request of the person charged, if they are of opinion that he would be embarrassed in his defence by reason of an amendment proposed to be made under this section, adjourn the hearing of the case to some future day."

(2) The said section seventy-two is hereby further amended by omitting from subsection seven (as added by section five of the Justices of the Peace Amendment Act 1948) the word " two ", and substituting the word " four ".

Provision for arrest of accused if about to abscond while on bail.

**19.** (1) The principal Act is hereby further amended by inserting, after section eighty-nine, the following section:—

“ 89A. (1) Where a defendant is discharged on recognizance as aforesaid, any Justice, if satisfied on the oath of the informant or of any surety, or on the oath of some person on behalf of the informant or any surety, that the defendant is about to abscond for the purpose of evading justice, may issue his warrant for the apprehension of the defendant.

“(2) When the defendant is apprehended pursuant to the warrant, any Justice, on being satisfied that the ends of justice would otherwise be defeated, may commit the defendant to prison until the hearing.”

(2) Section one hundred and seventy-nine of the principal Act is hereby amended by omitting the words “ and on information being made in writing and on oath by such prosecutor or by such surety, or by ”, and substituting the words “ and on being satisfied on the oath of the prosecutor or of the surety, or of ”.

Section 124 of principal Act (as to right to claim trial by jury) amended.

**20.** Section one hundred and twenty-four of the principal Act is hereby amended by adding to subsection one the following proviso:—

“ Provided that any person who claims under this section to be tried by a jury may, at any time before he is committed to the Supreme Court for trial, or, if at the close of the preliminary hearing he pleads guilty, before he is committed to the Supreme Court for sentence, elect to abandon his rights under this section, and thereupon the Court may, notwithstanding anything in subsection two of section one hundred and eighty-one of this Act, deal summarily with the case in all respects as if no such claim had been made, and the foregoing provisions of this subsection shall not apply.”

Power to award costs to accused in certain cases where charge of indictable offence dismissed.

**21.** The principal Act is hereby further amended by inserting, after section one hundred and fifty-seven, the following section:—

“ 157A. Where the Justices order that any person shall be discharged as to any information, they may, if they are of opinion that the charge was not made in

good faith, or that the charge was made without reasonable grounds, order that the prosecutor shall pay to the accused such sum by way of costs as they think just and reasonable. Any such order shall be enforceable as if it were an order made under Part II of this Act."

**22.** (1) Section one hundred and sixty-six of the principal Act is hereby repealed.

(2) The First Schedule to the principal Act is hereby consequentially amended by repealing form No. 39.

**23.** The principal Act is hereby further amended by repealing section two hundred and sixty-five, and substituting the following section:—

"265. Where in any proceedings to which this Act applies a document is served on a Maori, the provisions of the rules for the time being in force under the Magistrates' Courts Act 1947, relating to translations of documents served on Maoris in civil proceedings, shall apply."

Repeal of provisions as to method of payment of witnesses' expenses in indictable cases.

Translations of documents into Maori language.

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## SCHEDULES

Schedules.

### FIRST SCHEDULE

Section 7

#### "(52) NOTICE OF APPEAL

"Name of Appellant: . . .  
 Offence of which convicted: . . .  
 Place of conviction (*or* order): . . .  
 Date of conviction (*or* order): . . . Date when sentence  
 passed (*or* order made): . . .  
 Sentence (*or* order): . . .  
 Address of Appellant: . . .  
 To the Registrar of the Magistrate's Court at . . .

I, the above-named appellant, hereby give notice that I intend to appeal to the Supreme Court against my conviction (*or* my sentence, *or* my conviction and sentence, *or* the order made against me, *or* the amount of the order, &c.) on the grounds set out below, and I give answers as follows to the following questions:—

1. (a) Is any solicitor now acting for you? [*State 'Yes' or 'No'*]: . . .  
 (b) If so, give his name and address: . . .
2. Do you desire to be admitted to bail? [*State 'Yes' or 'No'*]: . . .
3. What are the grounds of your appeal? . . .

Dated this . . . day of . . . 19 . . .

*Signature of Appellant:* . . ."

## Section 13

## SECOND SCHEDULE

## AMENDMENTS CONSEQUENTIAL ON PROVISIONS AS TO APPEALS

Title of Act.	Nature of Amendment.
<p>1927, No. 37— The Justices of the Peace Act 1927 (Reprint of Statutes, Vol. II, p. 448)</p>	<p>(a) By repealing sections 319, 320, 329, 331, 339, and 340: (b) By omitting from subsection (1) of section 307 the word "application", and substituting the word "appeal": (c) By omitting from subsection (2) of section 308 the words "on the appellant entering into such recognizance as is hereinbefore provided": (d) By omitting from subsection (2) of section 333 the words "on such recognizance and shall return such recognizance to the Justice by whom the same was transmitted": (e) By inserting in section 334, at the beginning of that section, the words "Subject to the provisions of section three hundred and thirty-four A of this Act,": (f) By omitting from section 342 the words "to prosecute an appeal", and substituting the words "to appear before the Supreme Court on the hearing of an appeal"; by omitting from paragraph (b) of that section the words "a Justice to abide the judgment of", and also the word "or"; and by repealing paragraph (c) of that section: (g) By repealing paragraph 6 of form No. 1 in the First Schedule.</p>
<p>1946, No. 13— The Justices of the Peace Amendment Act 1946</p>	<p>By repealing sections 2 and 3.</p>
<p>1948, No. 20— The Justices of the Peace Amendment Act 1948</p>	<p>By repealing subsection (2) of section 12; and by repealing so much of the Schedule as relates to sections 305, 318, 331, and 332 of the principal Act and to form No. 52.</p>