

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
3rd October, 1912.*

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE.]  
*Legislative Council,  
10th October, 1912.*

*Hon. Mr. Herdman.*

### JUSTICES OF THE PEACE AMENDMENT.

#### ANALYSIS.

Title.  
1. Short Title.

2. Provision of legal aid for prisoners in certain cases.

#### A BILL INTITULED

AN ACT to amend the Justices of the Peace Act, 1908.

Title.

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

1. This Act may be cited as the Justices of the Peace Amendment Act, 1912, and shall form part of and be read together with the Justices of the Peace Act, 1908.

Short Title.

2. (1.) Where, on the hearing of a charge of an indictable offence under Part IV of the principal Act, the Justices are satisfied that the means of the accused are insufficient to enable him to obtain legal aid in the preparation and conduct of his defence, and that having regard to the nature of the defence set up by the accused it is desirable in the interests of justice that he should have such aid, the said Justices shall on the committal of the accused for trial certify to those facts in the prescribed form and transmit their certificate to the Minister of Justice.

Provision of legal aid for prisoners in certain cases.

(2.) On receipt of such certificate the Minister shall take the necessary steps to provide counsel to assist the accused in his defence.

(3.) At any time before or during the trial of a person accused of an indictable offence the Judge of the Supreme Court before whom such trial is to be or is being held may, if he is satisfied that the means of the accused are insufficient to enable him to obtain legal aid in the preparation and conduct of his defence and that it is desirable in the interests of justice that he should have such aid, ~~assign counsel to such accused person accordingly~~ direct that counsel be provided to assist the accused in his defence, in which case the Minister shall take steps accordingly.

(4)4. The expenses of the defence of an accused person in pursuance of this ~~section~~ *Act*, including the cost of a copy of the depositions, the fees of counsel, and the expenses of witnesses, shall be allowed and paid in the same manner as the expenses of a prosecution in cases of indictable offences, subject, however, to any regulations as to rates or scales of payment or otherwise which may be made by the Governor. 5

(5)5. The Governor may from time to time, by Order in Council, make such regulations as he deems necessary for giving effect to this ~~section~~ *Act*. 10