

Queensland



ANNO TRICESIMO QUARTO

ELIZABETHAE SECUNDAE REGINAE

No. 25 of 1985

**An Act to amend the Director of Prosecutions Act 1984 and
the Justices Act 1886-1982 each in certain particulars**

[ASSENTED TO 15TH APRIL, 1985]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

1. Short title. This Act may be cited as the *Director of Prosecutions Act and Justices Act Amendment Act 1985*.

2. Arrangement. This Act is arranged in Parts as follows:—

PART I—PRELIMINARY (ss. 1-2);

PART II—AMENDMENT OF DIRECTOR OF PROSECUTIONS ACT (ss. 3-7)

PART III—AMENDMENT OF JUSTICES ACT (ss. 8-10).

PART II—AMENDMENT OF DIRECTOR OF PROSECUTIONS ACT

3. Citation. (1) In this part the *Director of Prosecutions Act 1984* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Director of Prosecutions Act 1984-1985*.

4. Commencement. The provisions of section 7 shall be deemed to have commenced on 17 January 1985 and to have effect retrospectively accordingly.

5. Amendment of s. 6. Termination of Director's appointment. Section 6 of the Principal Act is amended by adding at the end of the section the following subsection:—

“(4) Termination of the appointment of Director shall be by way of notification in writing signed by the Minister and given to him personally or by post.”.

6. Amendment of s. 21. Suspension and removal from office. Section 21 of the Principal Act is amended by adding at the end of the section the following subsection:—

“(5) Removal from the office of Deputy Director or Crown Prosecutor shall be by way of notification in writing signed by the Minister and given to the office holder in question personally or by post.”.

7. Amendment of s. 34. Amendment and construction of other Acts. Section 34 of the Principal Act is amended by—

(a) in subsection (1), omitting the words “*Legal Practitioners Act 1968-1977*” and substituting the words “*Legal Practitioners Acts Amendment Act 1968-1977*”;

(b) omitting subsection (2) and substituting the following subsection:—

“(2) The *Legal Practitioners Acts Amendment Act 1968-1977* as amended by subsection (1) may be cited as the *Legal Practitioners Acts Amendment Act 1968-1985*.

The Legal Practitioners Acts, 1881 to 1965 and the *Legal Practitioners Acts Amendment Act 1968-1985* may be collectively cited as the *Legal Practitioners Acts 1881-1985*.”.

PART III—AMENDMENT OF JUSTICES ACT

8. Citation. (1) In this Part the *Justices Act 1886-1982* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Justices Act 1886-1985*.

9. Amendment of s. 126. Transmission of depositions. Section 126 of the Principal Act is amended by, in subsection (1), omitting paragraph (b) and substituting the following paragraph:—

“(b) in all other cases, to the Attorney-General or Director of Prosecutions.”.

10. Amendment of s. 127. Duty of Attorney-General, etc. Section 127 of the Principal Act is amended by omitting the words “Solicitor-General” and substituting the words “Director of Prosecutions”.