

**MISCELLANEOUS ACTS (DEATH PENALTY ABOLITION)  
AMENDMENT ACT, 1985, No. 59**

*New South Wales*



ANNO TRICESIMO QUARTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 59, 1985.**

An Act to amend certain Acts as a consequence of the enactment of the Crimes (Death Penalty Abolition) Amendment Act, 1985, and for other purposes. [Assented to, 15th May, 1985.]

*Miscellaneous Acts (Death Penalty Abolition) Amendment 1985*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**Short title.**

1. This Act may be cited as the "Miscellaneous Acts (Death Penalty Abolition) Amendment Act, 1985".

**Amendments.**

2. Each Act specified in Schedule 1 is amended in the manner set forth in that Schedule in relation to that Act.

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SCHEDULE 1.

(Sec. 2.)

AMENDMENTS.

**Child Welfare Act, 1939, No. 17—**

(1) Sections 12 (1) (b), 83 (2), (3), 86 (1)—

Omit ", an offence punishable by death or penal servitude for life" wherever occurring, insert instead "or any other offence punishable by penal servitude for life".

(2) (a) Section 87 (1)—

Omit ", an offence punishable by death or penal servitude for life", insert instead "or any other offence punishable by penal servitude for life".

(b) Section 87 (1), proviso—

Omit paragraph (b).

*Miscellaneous Acts (Death Penalty Abolition) Amendment 1985*

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SCHEDULE 1—*continued.*

AMENDMENTS—*continued.*

(c) Section 87 (2) (a)—

Omit “, an offence punishable by death or penal servitude for life”, insert instead “or any other offence punishable by penal servitude for life”.

**Community Welfare Act, 1982, No. 76—**

(1) (a) Section 138 (1)—

Omit “, an offence punishable by death or penal servitude for life”, insert instead “or any other offence punishable by penal servitude for life”.

(b) Section 138 (1)—

Omit “, subject to subsection (2),”.

(c) Section 138 (2)—

Omit the subsection.

(2) Sections 165 (1), 185 (1), 188 (a), 193, 264 (1) (b)—

Omit “, an offence punishable by death or penal servitude for life” wherever occurring, insert instead “or any other offence punishable by penal servitude for life”.

**Criminal Appeal Act, 1912, No. 16—**

(1) (a) Section 10 (2)—

Omit the subsection.

(b) Section 10 (3)—

Omit the subsection, insert instead:—

(3) The court may, at any time, extend the time within which notice of appeal, or notice of an application for leave to appeal, is required to be given to the court.

*Miscellaneous Acts (Death Penalty Abolition) Amendment 1985*

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SCHEDULE 1—*continued.*

AMENDMENTS—*continued.*

(2) Section 26—

Omit “other than the sentence of death”.

**District Court Act, 1973, No. 9—**

Section 166—

Omit “which is punishable with death or which was so punishable”, insert instead “which was punishable with death”.

**Interpretation Act, 1897, No. 4—**

Section 29—

Omit “of death, or of penal servitude,”, insert instead “of penal servitude”.

**Piracy Punishment Act, 1902, No. 69—**

(1) Section 4—

Omit “suffer death”, insert instead “penal servitude for life”.

(2) Section 6—

Omit “with death or otherwise”.

**Prisons Act, 1952, No. 9—**

Section 4, definition of “convicted prisoner”—

Omit paragraph (b).

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