

New Zealand.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Provision of legal aid for prisoners in certain cases upon recommendation of Justices.</p> | <p>3. Provision of legal aid for prisoners by direction of Judge.</p> <p>4. Expenses of defence to be paid.</p> <p>5. Regulations.</p> |
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1912, No. 12.

Title.

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

[26th October, 1912.]

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

Short Title.

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.

Provision of legal aid for prisoners in certain cases upon recommendation of Justices.

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.

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

Provision of legal aid for prisoners by direction of Judge.

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, direct that counsel be provided to assist the accused in the preparation and conduct of his defence, in which case the Minister shall take steps accordingly.

WHOLE ACT REPEALED

RPLD. 8,390 1927 No. 37

4. The expenses of the defence of an accused person in pursuance of this 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.

Expenses of defence
to be paid.

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

Regulations.