



ANALYSIS

Title.
1. Short Title.

2. Proof of service of documents by officer or constable.

1955, No. 13

Title. AN ACT to amend the Magistrates' Courts Act 1947.
[12 May 1955]

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 Magistrates' Courts Amendment Act 1955, and shall be read together with and deemed part of the Magistrates' Courts Act 1947 (hereinafter referred to as the principal Act).

1947, No. 16

2. The principal Act is hereby amended by inserting, after section one hundred and sixteen, the following section:

Proof of service of documents by officer or constable.

Cf. County Courts Act 1934 (24 and 25 Geo. V, ch. 53), s. 175 (U.K.)

“116A. (1) Where any summons or any other document is served by any officer of a Court or by any constable, the service may be proved either by an endorsement on a copy of the document showing the fact and the time and mode of service or in any other manner prescribed by the rules. Any such endorsement shall be signed by the person who served the summons or document or, if the service was effected by registered letter in accordance with the rules, by an officer of the Court who knows of the service.

“(2) Every officer or constable who wilfully endorses any false statement on a copy of any summons or document commits an offence and is liable on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding two hundred pounds, or to both.

“(3) Every offence under this section is hereby declared to be an offence that may be dealt with by a Magistrate's Court presided over by a Magistrate under and subject to the provisions of the Summary Jurisdiction Act 1952, and the provisions of that Act shall apply accordingly.”

REF. 19

No. 4.

1952, No. 41
