

REGULATIONS UNDER SECTION 659I OF THE CRIMINAL CODE⁽¹⁾ (QUEENSLAND, ADOPTED) IN THEIR APPLICATION TO THE TERRITORY OF NEW GUINEA.

WHEREAS by section 659i of the Criminal Code the Governor in Council is empowered from time to time to make such regulations as appear necessary for giving effect to Chapter LXIVA (Habitual Criminals) of the said Code, and, *inter alia*, particularly for the means of proof of previous conviction: Now, therefore, in pursuance of the said powers, the Deputy Governor, acting for and on behalf of His Excellency the Governor, and by and with the advice of His Executive Council, has been pleased to make the following Regulations:—

Means of proof of previous conviction.

1. A certificate signed by the Commissioner of Police or other head or acting head of the Police Force of the State of Queensland or any other State or country outside Queensland setting forth—

- (a) The name or names by which a person previously convicted in such State or country is known;
- (b) A description of such person;
- (c) The fact that he was so convicted and the date when and the place where he was so convicted;
- (d) The offence for which he was so convicted, accompanied in every case other than a conviction in Queensland by a transcript of the enactment under which he was so convicted; and

(1) Particulars of these Regulations (made under *The Criminal Code* (Queensland, adopted)) are set out in the following Table:—

REGULATIONS OF THE STATE OF QUEENSLAND.

Description.	Ordinance by which adopted.	Date on which adoption took effect.
Regulations under Section 659i of <i>The Criminal Code</i> (Queensland, adopted)	<i>Laws Repeal and Adopting Ordinance</i> 1924 (No. 1 of 1924) ^(a)	9.5.1921 ^(a) (Sec. 2, <i>Laws Repeal and Adopting Ordinance</i> (No. 3) 1924) (No. 27 of 1924)

(a) Section 13 and the Second Schedule of the *Laws Repeal and Adopting Ordinance* 1921 had adopted the First Schedule of the *Criminal Code Act* 1899 (Queensland) as in force at 9.5.1921 and all regulations and rules made thereunder and in force in Queensland at that date. This adoption was repealed by the *Laws Repeal and Adopting Ordinance* 1924, which adopted the First Schedule of the *Criminal Code Act* 1899 (Queensland) as amended by *The Criminal Code Correction of Errors Act* 1900, *The Criminal Code Amendment Act* of 1913 (No. 2), *The Criminal Code Amendment Act* of 1914, and *The Trade Union Act* of 1915, and adopted all regulations and rules made thereunder which were in force in Queensland at the date of such adoption. Section 2 of the *Laws Repeal and Adopting Ordinance* (No. 3) 1924 provided that such adoption should be deemed to have commenced on 9.5.1921.

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(e) The term of imprisonment or other punishment to which he was sentenced upon such conviction,

shall for all purposes of Chapter LXIVA of the Criminal Code be admissible in any legal proceeding as *primâ facie* evidence of the facts stated in such certificate, and that such person was the person convicted and sentenced as therein set forth; and such certificate shall be deemed an official document for the purpose of section 42 of the "*Evidence and Discovery Act of 1867.*"⁽²⁾

Form.

2. Every such certificate shall be in the following form, or as near thereto as circumstances will permit:—

Certificate for the purposes of Chapter LXIVA of the Criminal Code [Queensland].

I, _____, Commissioner of Police [*or as the case may be*] for the State [*or country*] of _____, hereby certify that _____, a native of [*place of birth*], in the State [*or country*] of _____, born on the day of _____, one thousand _____; occupation _____; whose personal description and whose finger-prints (taken under the name of _____) and photograph, with full criminal history, are attached hereto, marked "A" and "B" respectively, has been convicted at the Court, _____, on _____ day of _____, under section _____ of the _____, on a charge of _____, and sentenced to _____ years' imprisonment [*or as the case may be*] and discharged from gaol on the _____ day of _____ 19 _____.

[*In the case of any State or country outside Queensland add:—* Attached hereto marked "C" is a correct transcript of the enactment under which the said _____ was convicted.]

Dated at _____ this _____ day of _____, 19 _____.

Commissioner of Police
[*or as the case may be*].

(2) The *Evidence and Discovery Act of 1867* (Queensland) has not been expressly adopted as a law of the Territory by any Ordinance of the Territory of New Guinea, and the provisions of Section 42 thereof have not been reproduced in the *Evidence Ordinance 1934*. As to proof of convictions in the Territory, see, however, Section 20 of the *Evidence Ordinance 1934*.

A.

QUEENSLAND [or as the case may be] POLICE.

CLASSIFICATION NO.

Particulars as asked for below to be filled in as far as possible.

Name in full with aliases:	
Date and year of birth:	Height: ft. in.
Build:	Complexion:
Hair:	Eyes:
Occupation:	Beard, &c.:
Place of Birth:	Religion:
Date of arrival in Queensland:	
Means of arrival:	From where:
* Sentenced at	
on	
for	
to:	
* Give Offence in full.	Number of previous Convictions:

FINGER IMPRESSION SLIP.

Name:		RIGHT FINGERS.		
Police Station (or Gaol):				
Date:				
Signature of Officer } taking Prints }				
Signature of Officer } in Charge }				
1. Right Thumb.	2. Right Index Finger.	3. Right Middle Finger.	4. Right Ring Finger.	5. Right Little Finger.
LEFT FINGERS.		<p>DIRECTIONS.—Before taking impressions of the Fingers fold this form exactly in two.</p> <p>Where a finger is missing or so injured that the impression cannot be obtained, or is deformed and yields a bad print, the fact should be noted under Remarks.</p> <p style="text-align: center;"><i>Remarks.</i></p>		
10. Left Little Finger.	9. Left Ring Finger.	8. Left Middle Finger.	7. Left Index Finger.	6. Left Thumb.

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Remarks.

Descriptive marks, scars, &c.:

Prisoner's Signature:

RIGHT FOREFINGER PRINT. (To be impressed immediately after Signature is written.)
[Blank space for signature]

This is the annexure marked "A" to the certificate, dated the _____ day of _____, 19____, setting forth the personal description and finger prints of _____

Commissioner of Police.
[or as the case may be].

B.

QUEENSLAND [or as the case may be].

No.

Name:

Native place:

Year of birth:

Arrival in State (ship and year):

From where:

Trade or calling:

Religion:

Education:

Height:

Weight:

Hair:

Eyes:

Complexion:

Build:

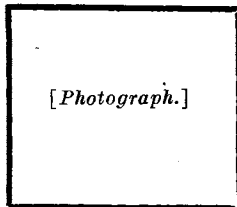
Marks and special features:

Finger print classification:

Date portrait taken:

Previous and subsequent portraits:

Reference to *Police Gaz.* phot. }
Disc. Prisoners' Supplement }



CRIMINAL HISTORY.

Where Convicted.	When.	Offence.	Sentence.

This is the photograph and full criminal history of _____ marked "B" in the annexed certificate, dated the _____ day of _____ 19____.

Commissioner of Police.
[or as the case may be]

Regulations under Section 659i of The Criminal Code (Queensland, adopted).

C.

In the case of any State or Country outside Queensland, add:—The enactment under which the aforesaid prisoner was convicted is as follows:—(Transcribe the section of the Act).

This is the annexure marked "C" to the certificate dated the _____ day of _____, 19____, setting forth the enactment under which _____ was convicted.

Commissioner of Police
[or as the case may be.]

CRIMINAL LAW—