

Magistrates Court Act 1930—Form 16

(see s 63)

Warrant where a witness has not obeyed a subpoena to attend the examination of a person charged with an indictable offence or the hearing of a charge punishable on summary conviction

In the Magistrates Court at Canberra.

To the Commissioner of Police at Canberra, in the Australian Capital Territory, and to all other police officers in the Territory.

WHEREAS on the _____ day of _____, 20____, an information was laid that *AB* [*etc as in the summons or warrant*], and a subpoena was duly issued to *EF* of _____ in the Territory _____, requiring [him or her] to appear on the _____ day of _____ 20____, at _____, in the Territory, before the court, to testify what [he or she] knew concerning the matter of the information: And whereas proof has this day been made upon oath that such subpoena was duly served upon *EF*: And whereas *EF* neglected to appear at the time and place appointed by the subpoena, and no just excuse has been offered for such neglect: These are therefore to command you, in the Sovereign's name, forthwith to apprehend *EF* and cause [him or her] to be brought before the court at Canberra, in the Territory, to testify what [he or she] knows concerning the matter of the information.

Given under my hand, at _____, in the Territory, this _____ day of _____ 20____.

[*Signature*]

Registrar of Magistrates Court *or* Magistrate

Endnotes

- 1 This form was originally in the *Magistrates Court Act 1930* (the **authorising Act**), schedule 1. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 256 of that Act (see amdts 1.2764 and 1.2769).
- 2 Under the *Court Procedures Act 2004* A2004-58, pt 8, this form became a form approved under that Act.
- 3 This republication includes amendments made under the Legislation Act, part 11.3 (Editorial changes).

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