

Death Penalty Abolition Act 1973

No. 100 of 1973

AN ACT

To abolish Capital Punishment under the Laws of the Commonwealth and under certain other Laws in relation to which the Powers of the Parliament extend.

[Assented to 18 September 1973]

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

- Short title. 1. This Act may be cited as the *Death Penalty Abolition Act 1973*.
- Commence-
ment. 2. This Act shall come into operation on the day on which it receives the Royal Assent.
- Application
of Act. 3. (1) This Act applies within and outside Australia and extends to all the Territories.
- (2) Subject to sub-section (3), this Act applies in relation to, and in relation to offences under, the laws of the Commonwealth and of the Territories, and, to the extent to which the powers of the Parliament permit, in relation to, and in relation to offences under, Imperial Acts.
- (3) This Act does not apply in relation to, or in relation to offences under, the laws in force in the Territory of Papua or the Territory of New Guinea, other than Acts of the Parliament, or Imperial Acts, as extending to either or both of those Territories of their own force.

(4) This Act applies in relation to offences committed before, on or after the date of commencement of this Act, including offences in respect of which proceedings are pending at that date, and if, on that date, a person is under sentence of death for an offence in relation to which this Act applies, the sentence has effect as if it were a sentence of imprisonment for life.

4. A person is not liable to the punishment of death for any offence. Abolition of death penalty.

5. Where by any law in relation to which this Act applies (including a provision that would, but for this Act, have effect by virtue of such a law) it is provided that a person is liable to the punishment of death, the reference to the punishment of death shall be read, construed and applied as if the penalty of imprisonment for life were substituted for that punishment. Substitution of imprisonment for life.

