



ANNO TRICESIMO QUINTO

**ELIZABETHAE II REGINAE**

**A.D. 1986**

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**No. 105 of 1986**

**An Act to amend the Summary Offences Act, 1953.**

*[Assented to 18 December 1986]*

The Parliament of South Australia enacts as follows:

Short title.

1. (1) This Act may be cited as the "Summary Offences Act Amendment Act (No. 3), 1986".

(2) The Summary Offences Act, 1953, is in this Act referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Redesignation of s. 75a.

3. Section 75a of the principal Act is redesignated as section 74a and transposed so as to follow section 74.

Insertion of new heading and s. 83a.

4. The following heading and section are inserted after section 83 of the principal Act:

*Right to an Interpreter*

Right to an Interpreter.

83a. (1) Where—

(a) a person whose native language is not English is suspected of having committed an offence;

and

(b) the person is not reasonably fluent in English,

the person is entitled to be assisted by an interpreter during any questioning conducted by an investigating officer in the course of an investigation of the suspected offence.

(2) Where it appears that a person may be entitled to be assisted by an interpreter under subsection (1), an investigating officer shall

not proceed with any questioning, or further questioning, until the person has been informed of the right to an interpreter that exists under subsection (1).

(3) If a person who is entitled to be assisted by an interpreter under subsection (1) requests the assistance of an interpreter, an investigating officer shall not proceed with any questioning, or further questioning, until an interpreter is present.

(4) In this section—

“investigating officer” means—

(a) a member of the police force;

(b) a person authorised by or under an Act to investigate the suspected offence.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor