



Death Penalty Abolition Act 1973

Act No. 100 of 1973 as amended

This compilation was prepared on 21 February 2001
taking into account amendments up to Act No. 34 of 1997

The text of any of those amendments not in force
on that date is appended in the Notes section

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3

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

1 Short title *[see Note 1]*

This Act may be cited as the *Death Penalty Abolition Act 1973*.

2 Commencement *[see Note 1]*

This Act shall come into operation on the day on which it receives the Royal Assent.

3 Application of Act

- (1) This Act applies within and outside Australia and extends to all the Territories.
- (2) 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.
- (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 Abolition of death penalty

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

5 Substitution of imprisonment for life

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

Section 5

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.

Table of Acts

Notes to the *Death Penalty Abolition Act 1973***Note 1**

The *Death Penalty Abolition Act 1973* as shown in this compilation comprises Act No. 100, 1973 amended as indicated in the Tables below.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Death Penalty Act 1973</i>	100, 1973	18 Sept 1973	18 Sept 1973	
<i>Law and Justice Legislation Amendment Act 1997</i>	34, 1997	17 Apr 1997	Schedule 5: Royal Assent (a)	—

Act Notes

- (a) The *Death Penalty Abolition Act 1973* was amended by Schedule 5 only of the *Law and Justice Legislation Amendment Act 1997*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

Table of Amendments

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ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
S. 3.....	am. No. 34, 1997
