

(3.) The jurisdiction conferred on a court of summary jurisdiction by this section shall not be judicially exercised except by a Chief, Police, Stipendiary, Resident or Special Magistrate.

(4.) Jurisdiction with respect to an offence is not conferred by this section on a court of a Territory not forming part of the Commonwealth unless the offence was committed in the Territory or on board an aircraft the last place of taking off of which before the commission of the offence, or the next place of landing of which after the commission of the offence, was in that Territory.

(5.) The trial on indictment of an offence against this Act that was not committed within any State may be held—

- (a) in any State; or
- (b) in any Territory in which a court having jurisdiction to try the offence may sit.

(6.) Subject to this Act, the laws of a State or Territory with respect to the arrest and custody of offenders or persons charged with offences and the procedure for—

- (a) their summary conviction;
- (b) their examination and commitment for trial on indictment;
- (c) their trial and conviction on indictment; and
- (d) the hearing and determination of appeals arising out of any such trial or conviction or out of any proceedings connected therewith,

and for holding accused persons to bail apply, so far as they are applicable, to a person who is charged in that State or Territory with an offence against this Act.

(7.) Except as provided by this Act, the *Judiciary Act* 1903–1960 applies in relation to offences against this Act.

23.—(1.) In a prosecution for an offence against this Act committed on board an aircraft engaged in a flight, where an act constituting, in whole or in part, the offence charged is proved, it shall be presumed, unless the evidence shows the contrary, that that act did not take place in a State or Territory other than the State or Territory in which the trial is held.

Provisions in relation to venue.

(2.) In a prosecution for an offence against this Act committed on board an aircraft engaged in a flight, if the information, complaint or indictment specifies the flight in which the aircraft was engaged, it is not necessary for the information, complaint or indictment to state the part of Australia or other place at which the offence was committed, except where the prosecution is in a court of a Territory and the jurisdiction of the court depends on the offence having been committed in the Territory.

24.—(1.) Where