

Queensland



MAGISTRATES ACT 1991

**Reprinted as in force on 1 December 2000
(includes amendments up to Act No. 58 of 2000)**

Reprint No. 2E

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Information about this reprint

This Act is reprinted as at 1 December 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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MAGISTRATES ACT 1991

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MAGISTRATES ACT 1991

[as amended by all amendments that commenced on or before 1 December 2000]

An Act relating to the office of Magistrates, the judicial independence of the magistracy, and for related purposes

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Magistrates Act 1991*.

Commencement

2.(1) Section 25 commences immediately after the commencement of section 111 of the *Supreme Court of Queensland Act 1991*.

(2) The remaining provisions of this Act commence on a day to be fixed by proclamation.

Definitions

3. In this Act—

“**Chief Judge**” means the Chief Judge of the District Court.

“**Chief Justice**” means the Chief Justice of Queensland.

“**clerk of the court**” means a clerk of the court within the meaning of the *Justices Act 1886*.

“**committee**” means the judicial committee established under section 10A.

“**reviewable determination**” means—

- (a) a determination of the Chief Magistrate under section 5(5) or

10(2)(a) about the place at which a magistrate is to constitute a Magistrates Court, other than a temporary determination; or

- (b) a refusal by the Chief Magistrate under section 18A(3)(b) to make a determination requested under section 18A(2).

“**temporary determination**” has the meaning given by section 10(6).

PART 2—APPOINTMENT, JURISDICTION AND POWERS

Qualifications for appointment of Magistrates

4.(1) A person who has not attained the age of 65 is qualified to be appointed as a Magistrate if the person is—

- (a) a barrister or solicitor of the Supreme Court; or
- (b) a barrister, solicitor, barrister and solicitor or legal practitioner of—
- (i) the Supreme Court of another State or a Territory; or
- (ii) the High Court;

of at least 5 years standing.

(2) For the purposes of subsection (1), a person who—

- (a) immediately before the commencement of this section, was qualified for admission as a barrister or solicitor of the Supreme Court; and
- (b) is admitted as a barrister or solicitor; and
- (c) immediately before the commencement of this section was employed in a Magistrates Courts Office;

is taken to have been a barrister or solicitor from when the person became qualified.

Appointment of Magistrates

5.(1) The Governor in Council may appoint as many Magistrates as are necessary for transacting the business of the Magistrates Courts.

(2) Before making a recommendation to the Governor in Council about the appointment of a magistrate, the Minister must first consult with the Chief Magistrate.

(3) The appointment of a magistrate must state and has effect to determine—

- (a)** the place where the magistrate is first to constitute a Magistrates Court appointed under the *Justices Act 1886*, section 22B(1)(c); and
- (b)** the period, not longer than 5 years, the magistrate is to constitute the Magistrates Court at the place.

(4) However, the Chief Magistrate and the magistrate may agree that the magistrate is to constitute a Magistrates Court at another place for an agreed period before the period mentioned in subsection (3)(b) ends.

(5) Despite subsection (3) and before the period mentioned in subsection (3)(b) ends, the Chief Magistrate may, for good reason directly related to the magistrate, determine that the magistrate is to constitute a Magistrates Court at a place other than the place mentioned in subsection (3)(a).

Examples of good reasons—

- the Chief Magistrate has disciplined the magistrate under section 10(8) and a transfer is necessary to maintain community confidence in the court
- the magistrate's incompatibility with the local community
- the magistrate's incompatibility with another magistrate at the place is detrimental to the efficient functioning of the court.

(6) The Governor in Council may appoint a Magistrate to be the Chief Magistrate either at the time of the person's appointment as a Magistrate or at any time afterwards.

(7) The Governor in Council may appoint a Magistrate to be the Deputy Chief Magistrate either at the time of the person's appointment as a Magistrate or at any time afterwards.

(8) A magistrate is to be appointed under this Act, and not under the *Public Service Act 1996*.

Appointment of acting Magistrates

6.(1) The Governor in Council may appoint a clerk of the court to act as a Magistrate.

(2) The *Public Service Act 1996* does not apply to a clerk of the court while the clerk acts as a Magistrate.

(3) A clerk of the court retains all rights that have accrued to the clerk because of employment as a clerk, or that would accrue in the future to the clerk because of that employment, as if service acting as a Magistrate were a continuation of service as a clerk.

(4) However, for deciding whether remuneration is payable to a clerk of the court while acting as a magistrate, the *Public Service Management and Employment Act 1988* applies to the person.

Jurisdiction and powers of Magistrates

7. A Magistrate may exercise, throughout the State, all the jurisdiction, powers and functions conferred on a Magistrate, or on 2 justices, by or under any law of the State.

Oaths to be taken by Magistrates

8.(1) A person appointed under section 5 or 6 must not exercise any powers or functions of a Magistrate unless the person has—

- (a) taken and subscribed the oath prescribed by the regulations or, if not so prescribed, by any other Act; or
- (b) made and subscribed an affirmation in the form of that oath.

(2) An oath or affirmation referred to in subsection (1) may be taken or made before, and may be administered and received by—

- (a) a Supreme Court Judge; or
- (b) a District Court Judge; or
- (c) a Magistrate.

(3) A Magistrate who does not, within 3 months after appointment as a Magistrate, take the oath or make the affirmation referred to in subsection (1) ceases to hold office as a Magistrate when that period ends.

(4) A Magistrate who complies with this section is not required to take an oath or make an affirmation prescribed under any other Act in relation to justices or Magistrates.

PART 3—CHIEF MAGISTRATE

Chief Magistrate

9.(1) The Chief Magistrate holds office as Chief Magistrate while the Chief Magistrate is a Magistrate.

(2) With the approval of the Governor in Council, the Chief Magistrate may resign office as Chief Magistrate but remain a Magistrate.

Functions of Chief Magistrate

10.(1) The Chief Magistrate is responsible for ensuring the orderly and expeditious exercise of the jurisdiction and powers of Magistrates Courts.

(2) Subject to this Act and to such consultation with Magistrates as the Chief Magistrate considers appropriate and practicable, the Chief Magistrate has power to do all things necessary or convenient to be done for ensuring the orderly and expeditious exercise of the jurisdiction and powers of Magistrates Courts, including, for example—

- (a) determining the Magistrates who are to constitute Magistrates Courts at particular places appointed under section 22B(1)(c) of the *Justices Act 1886* or who are to perform particular functions; and
- (b) issuing directions with respect to the practices and procedures of Magistrates Courts; and
- (c) allocating the functions to be exercised by particular Magistrates; and

Magistrates Act 1991

- (d) nominating a Magistrate to be a supervising Magistrate or a coordinating Magistrate for the purpose of the allocation of work of the Magistrates Court.

(3) Subsection (2) does not authorise the Chief Magistrate to promote a Magistrate.

(4) The Chief Magistrate must not make a determination under subsection (2)(a) about the place at which a magistrate is to constitute a Magistrates Court unless the Chief Magistrate—

- (a) first—
 - (i) consults with the magistrate; and
 - (ii) gives the magistrate written notice of the proposed maximum period that the magistrate is to constitute a Magistrates Court at the place; and
- (b) has sufficient and reasonable regard to the magistrate's personal circumstances and all other relevant considerations.

(5) The Chief Magistrate must give a magistrate written notice of a determination under subsection (2)(a) stating—

- (a) the place the magistrate is to constitute a Magistrates Court; and
- (b) the period the magistrate is to constitute the Magistrates Court at the place; and
- (c) the reasons for the determination.

(6) However, subsection (4) does not apply if—

- (a) because of urgent circumstances, the Chief Magistrate makes a determination (a “**temporary determination**”) under subsection (2)(a) about the place at which a magistrate is to constitute a Magistrates Court; and
- (b) under the temporary determination, the magistrate is to constitute a Magistrates Court at the place for no longer than 3 months.

(7) To remove doubt, it is declared that subsection (4) does not affect a condition of appointment or agreement under section 5(3) or (4).

(8) The Chief Magistrate may discipline by way of reprimand a magistrate who, to the Chief Magistrate's satisfaction—

- (a) is seriously incompetent or inefficient in the discharge of the administrative duties of office; or
- (b) is seriously negligent, careless or indolent in the discharge of the administrative duties of office; or
- (c) is guilty of misconduct; or
- (d) is absent from duty without leave or reasonable excuse; or
- (e) wilfully fails to comply with a reasonable direction given by the Chief Magistrate or a magistrate authorised to give the direction; or
- (f) is guilty of conduct unbecoming a magistrate.

(9) If action is contemplated under subsection (8)(d), the Chief Magistrate may appoint a medical practitioner to examine and report on the mental and physical condition of the Magistrate, and may direct the Magistrate to submit to the examination.

(10) If the Chief Magistrate reprimands a Magistrate, the Chief Magistrate must immediately submit a written report on the matter to the Minister.

(11) Action taken by the Chief Magistrate under subsection (8) does not affect the operation of sections 15 and 17.

PART 4—REVIEWABLE DETERMINATIONS

Establishment of judicial committee

10A. A judicial committee (the “**committee**”) is established.

Function of judicial committee

10B. The committee’s function is to review a reviewable determination on receipt of a written request from a magistrate aggrieved by the determination.

Composition of committee

10C.(1) The members of the committee for each review are—

- (a) the Chief Justice or a judge of the Supreme Court nominated by the Chief Justice; and
- (b) the Chief Judge or a judge of the District Court nominated by the Chief Judge; and
- (c) a judge of either the Supreme Court or the District Court nominated by the Chief Justice.

(2) The committee may be constituted for more than 1 review at any time with the same or different membership for each review.

Request for review

10D.(1) A magistrate aggrieved by a reviewable determination may request the committee to review the determination.

(2) The request must be given to the committee in writing within 14 days after the Chief Magistrate gives written notice of the reviewable determination to the magistrate.

Powers of committee on review

10E.(1) The committee must consider the merits of the reviewable determination and either affirm it or substitute its own different determination.

(2) If the committee makes its own determination, that determination has effect.

Procedure

10F.(1) The committee has full and unfettered discretion to determine its own procedure when conducting a review.

(2) When conducting a review, the committee is not bound—

- (a) by the rules of evidence; or
- (b) to conduct any oral or public hearing; or

(c) to permit a party to the review to be legally represented.

(3) The committee may conduct a review solely on the basis of the written materials it considers appropriate.

(4) The Chief Justice may issue directions for the procedure for a review.

Stay of operation and implementation of determination pending review

10G.(1) The operation and implementation of a reviewable determination, other than a refusal to make a determination under section 18A(3)(b), is stayed if a magistrate, the subject of the reviewable determination, requests the committee to review the determination.

(2) The stay is effective from the time the magistrate gives the Chief Magistrate a copy of the request under section 10H.

Magistrate to give Chief Magistrate notice of application

10H. A magistrate who requests a review under section 10D is to give a copy of the request to the Chief Magistrate as soon as possible after requesting the review.

No further review

10I.(1) A determination made under section 10E—

- (a) is final and conclusive; and
- (b) can not be challenged, appealed against, reviewed, quashed, set aside, or called in question in another way, under the *Judicial Review Act 1991* or otherwise whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to a writ or order of the Supreme Court, another court, a tribunal or another entity on any ground.

(2) In this section—

“determination” includes—

- (a) conduct engaged in to make a determination; and

- (b) conduct related to making a determination; and
- (c) failure to make a determination.

PART 5—DEPUTY CHIEF MAGISTRATE

Deputy Chief Magistrate

11.(1) The Deputy Chief Magistrate holds office as Deputy Chief Magistrate while the Deputy Chief Magistrate is a Magistrate.

(2) With the approval of the Governor in Council, the Deputy Chief Magistrate may resign office as Deputy Chief Magistrate but remain as a Magistrate.

Functions of Deputy Chief Magistrate

12.(1) The Deputy Chief Magistrate—

- (a) in addition to exercising functions as a Magistrate, must exercise such other functions as the Chief Magistrate directs; and
- (b) may act as the Chief Magistrate during—
 - (i) a vacancy in the office; or
 - (ii) any period when the Chief Magistrate is absent from duty or from the State or is, for any other reason, unable to perform the duties of the office.

PART 6—FUNCTIONS AND TENURE OF OFFICE

Functions of Magistrates generally

13.(1) Every Magistrate must comply with every reasonable direction given to, or requirement made by, the Chief Magistrate or by another Magistrate authorised in that behalf by the Chief Magistrate.

(2) A Magistrate must devote the whole of his or her time to the duties of the office of a Magistrate.

(3) Subsection (2) does not apply to a person appointed to act as a Magistrate if the appointment excludes the operation of subsection (2).

(4) Without limiting subsection (2), a Magistrate must not practise as a barrister or solicitor for fee or reward.

Tenure of office

14. A person ceases to be a Magistrate if—

- (a) the person resigns by written notice given to the Minister; or
- (b) having attained 55, the person elects to retire by written notice given to the Minister; or
- (c) the person is removed from office; or
- (d) the person attains 65; or
- (e) the person ceases to hold office under section 8(3).

Suspension of Magistrate

15.(1) The Governor in Council may suspend a Magistrate from office.

(2) Notice of the suspension is to be served on the Magistrate and published in the Gazette.

(3) A Magistrate must not be suspended from office unless a Supreme Court Judge, on the application of the Attorney-General without notice to any person, has determined that there are reasonable grounds for believing that proper cause for removal of the Magistrate exists.

(4) There is proper cause to remove the Magistrate if the Magistrate—

- (a) has been convicted of an indictable offence; or
- (b) is mentally or physically incapable of carrying out satisfactorily the duties of office; or
- (c) is incompetent or guilty of serious neglect of duties; or
- (d) is guilty of proved misbehaviour.

(5) If a Magistrate is suspended from office, the Attorney-General must, as soon as practicable, apply to the Supreme Court for a determination whether proper cause exists to remove the Magistrate.

(6) The suspension lapses if—

- (a) the Supreme Court determines under section 16 or 17 that proper cause to remove the Magistrate has not been established; or
- (b) the Governor in Council lifts the suspension.

(7) Notice of the lapsing of the suspension must be served on the Magistrate and published in the Gazette.

(8) The Magistrate is entitled to remuneration in relation to the period of suspension.

Appeal against suspension of Magistrate

16.(1) A Magistrate who is suspended from office may appeal to the Supreme Court against the suspension.

(2) The appeal may be heard with any application made under section 17.

(3) On the appeal, the Supreme Court must determine whether proper cause, as specified in section 15(4), exists to remove the Magistrate.

Removal of Magistrate from office

17.(1) A Magistrate must not be removed from office unless the Supreme Court determines, on an application under section 15(5) or an appeal under section 16, that proper cause exists to remove the Magistrate.

(2) Notice of the removal must be served on the Magistrate (together with notice of the grounds) and published in the Gazette.

PART 7—GENERAL

Terms and conditions of employment

18.(1) A Magistrate is to be paid—

- (a) salary determined under the *Judges (Salaries and Allowances) Act 1967*; and
- (b) such allowances as are determined by the Governor in Council.

(1A) A Magistrate may be promoted only in accordance with a determination of the Governor in Council.

(2) A Magistrate holds office on such terms and conditions not provided for by this Act as are determined by the Governor in Council.

(3) Employment as a Magistrate is not subject to any industrial award or industrial agreement or any determination or rule of an industrial tribunal.

Magistrate may request transfer determination

18A.(1) This section applies if a magistrate has constituted a Magistrates Court at a place for at least—

- (a) for a magistrate appointed under section 5(3) or given a notice under section 10(5)—the period stated in the appointment or notice; or
- (b) for a magistrate who constitutes a Magistrates Court at a place for a period agreed under section 5(4)—the period agreed; or
- (c) for a magistrate who constitutes a Magistrates Court at a place at the commencement of this section—5 years.

(2) The magistrate may request the Chief Magistrate to determine under section 10(2)(a) that the magistrate is to constitute a Magistrates Court at another place.

(3) Within 28 days of receiving the request, the Chief Magistrate must—

- (a) agree to make the determination; or
- (b) refuse to make the determination.

(4) If the Chief Magistrate refuses to make the determination, the Chief

Magistrate must give written notice to the magistrate within 14 days of the refusal.

(5) The notice must state the reasons for refusing to make the determination.

(6) To remove doubt, it is declared that for subsection (1)(c) the period that a magistrate constitutes a Magistrates Court at a place includes any period that the magistrate has constituted the court at the place before the commencement of this section.

Preservation of rights

19.(1) This section applies if an officer of the public service is appointed as a Magistrate.

(2) The person retains all rights that have accrued to the person because of employment as such an officer, or that would accrue in the future to the person because of that employment, as if service as a Magistrate were a continuation of service as an officer of the public service.

(3) If the person ceases to be a Magistrate on being appointed to an office of the public service, the person's service as Magistrate is to be regarded as service of a like nature in the public service for the purpose of determining the person's rights as an officer of the public service.

Continuation of jurisdiction on retirement

20. A person who ceases to be a Magistrate for any reason (other than death or removal from office) is taken to continue to be a Magistrate so far as it is necessary to give a decision in a matter that is partly heard or standing for the decision of the Magistrate.

Judicial notice of office

21. All courts and persons acting judicially must take judicial notice of the signature in relation to a magisterial act of a person followed by—

- (a) Chief Magistrate; or
- (b) Deputy Chief Magistrate; or

- (c) Magistrate; or
- (d) Acting Magistrate;

and that the person held the relevant office.

Protection for administrative acts

21A. A magistrate has, in the performance or exercise of an administrative function or power conferred on the magistrate under an Act, the same protection and immunity as a magistrate has in a judicial proceeding in a Magistrates Court.

Regulations

22. The Governor in Council may make regulations for the purposes of this Act.

PART 8—TRANSITIONAL PROVISIONS

Division 1—Transitional provision for Act No. 75 of 1995

Existing Magistrates continue in office

23.(1) A person who immediately before the commencement of this section, is the Chief Stipendiary Magistrate, the Senior Stipendiary Magistrate or a Stipendiary Magistrate under the *Justices Act 1886* continues in office as Chief Stipendiary Magistrate, Senior Stipendiary Magistrate or Stipendiary Magistrate, as the case may be, under this Act.

(2) The salary of a person referred to in subsection (1) immediately before the commencement of this section continues to be the salary of the person under this Act until the salary is determined under the *Judges (Salaries and Allowances) Act 1967*.

Division 2—Transitional provision for Act No. 68 of 1999**Transitional provision for Stipendiary Magistrates and Other Acts
Amendment Act 1999**

24.(1) This section applies to a reviewable determination made under section 10(2)(a) between 31 March 1999 and the commencement of section 6 of the *Stipendiary Magistrates and Other Acts Amendment Act 1999* (the “**amending Act**”).

(2) A magistrate aggrieved by the determination may request a review under section 10D as if the determination had been made after the commencement of section 6 of the amending Act.

(3) The request must be given to the committee within 14 days of the commencement of this section.

(4) If a magistrate requests a review under subsection (2), the magistrate may not—

- (a)** seek a review of the determination under the *Judicial Review Act 1991* or any other Act; or
- (b)** challenge or appeal against the determination or ask for it to be reviewed, quashed, set aside, or called in question in another way before the Supreme Court, another court, a tribunal or other entity.

(5) If a magistrate requests a review under subsection (2), after starting a proceeding mentioned in subsection (4)(a) or (b), that proceeding is terminated.

(6) This section expires 1 year after it commences.

***Division 3—Transitional provisions for Justice and Other Legislation
(Miscellaneous Provisions) Act 2000*****References to stipendiary magistrate**

25. In an Act—

- (a)** a reference to the Chief Stipendiary Magistrate is taken to be a reference to the Chief Magistrate; and

- (b) a reference to a Senior Stipendiary Magistrate is taken to be a reference to a Deputy Chief Magistrate; and
- (c) a reference a Stipendiary Magistrate is taken to be a reference to a magistrate.

Change of name of office not to affect office holders

26. To remove any doubt, it is declared that the change in the name of the office of Chief Stipendiary Magistrate, Senior Stipendiary Magistrate or Stipendiary Magistrate to Chief Magistrate, Deputy Chief Magistrate or magistrate does not affect the appointment to, or the continuation in, the office of a person holding the office immediately before the commencement of this section.

Existing appointments

27. A person who, immediately before the commencement of this section, holds an appointment as a magistrate under section 5, including a stipendiary magistrate mentioned in section 23, is taken from the commencement to be appointed as a magistrate under section 5.

ENDNOTES**1 Index to endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 December 2000. Future amendments of the Magistrates Act 1991 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 36 of 1992	1 August 1992
2	to Act No. 32 of 1993	23 June 1993
2A	to Act No. 79 of 1996	5 March 1997
2B	to Act No. 68 of 1999	25 January 2000
2C	to Act No. 68 of 1999	10 March 2000
2D	to Act No. 46 of 2000	8 November 2000

5 List of legislation

Magistrates Act 1991 No. 75 (prev Stipendiary Magistrates Act 1991)

date of assent 21 November 1991

ss 1–2 commenced on date of assent

s 25 commenced immediately after the commencement of s 111 of the Supreme Court of Queensland Act 1991 (14 December 1991 (see s 2(1))

remaining provisions commenced 1 January 1992 (1991 SL No. 211)

as amended by—

Statute Law (Miscellaneous Provisions) Act 1992 No. 36 ss 1–2 sch 2

date of assent 2 July 1992

commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 1993 No. 32 ss 1–3 sch 1

date of assent 3 June 1993

commenced on date of assent

Public Service Act 1996 No. 37 ss 1–2, 147 sch 2

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

Justice Legislation (Miscellaneous Provisions) Act 1996 No. 79 pts 1, 30

date of assent 12 December 1996

pt 1 commenced on date of assent

remaining provisions commenced 28 February 1997 (1997 SL No. 35)

Justice Legislation (Miscellaneous Provisions) Act 1999 No. 16 ss 1–2 sch

date of assent 22 April 1999

commenced on date of assent

Justice Legislation (Miscellaneous Provisions) Act (No. 2) 1999 No. 66 ss 1, 2(2) pt 7

date of assent 6 December 1999

ss 1–2 commenced on date of assent

remaining provisions commenced 1 March 2000 (2000 SL No. 15)

Stipendiary Magistrates and Other Acts Amendment Act 1999 No. 68 pts 1–2

date of assent 6 December 1999

commenced on date of assent

Statute Law (Miscellaneous Provisions) Act 2000 No. 46 ss 1, 3 sch

date of assent 25 October 2000

commenced on date of assent

Justice and Other Legislation (Miscellaneous Provisions) Act 2000 No. 58 ss 1–2 sch

date of assent 17 November 2000

commenced on date of assent

6 List of annotations

Title

amd 2000 No. 58 s 2 sch

PART 1—PRELIMINARY

pt hdg ins 2000 No. 58 s 2 sch

Short title

s 1 amd 2000 No. 58 s 2 sch

Definitions

s 3 def “**Chief Judge**” ins 1999 No. 68 s 3
def “**Chief Justice**” ins 1999 No. 68 s 3
def “**committee**” ins 1999 No. 68 s 3
def “**reviewable determination**” ins 1999 No. 68 s 3
amd 2000 No. 58 s 2 sch
def “**temporary determination**” ins 1999 No. 68 s 3

PART 2—APPOINTMENT, JURISDICTION AND POWERS

pt hdg ins 2000 No. 58 s 2 sch

Appointment of Magistrates

s 5 amd 1996 No. 37 s 147 sch 2; 1999 No. 68 s 4; 2000 No. 58 s 2 sch

Appointment of acting Magistrates

s 6 amd 1996 No. 37 s 147 sch 2; 1996 No. 79 s 107

PART 3—CHIEF MAGISTRATE

pt hdg ins 2000 No. 58 s 2 sch

Chief Magistrate

prov hdg amd 2000 No. 58 s 2 sch

s 9 amd 2000 No. 58 s 2 sch

Functions of Chief Magistrate

prov hdg amd 2000 No. 58 s 2 sch

s 10 amd 1992 No. 36 s 2 sch 2; 1993 No. 32 s 3 sch 1; 1999 No. 68 s 5; 2000 No. 58 s 2 sch

PART 4—REVIEWABLE DETERMINATIONS

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