



ELIZABETHAE SECUNDAE REGINAE

No. 19 of 1976

**An Act to vary the civil jurisdiction of District Courts and
Magistrates Courts in certain respects**

[ASSENTED TO 15TH APRIL, 1976]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

1. Short title. This Act may be cited as the *District Courts' and Magistrates Courts' Jurisdiction Act 1976*.

2. Commencement. This Act shall commence on a day to be fixed by Proclamation.

3. Parts of Act. This Act is divided into Parts as follows:—

PART I—PRELIMINARY;

PART II—AMENDMENT OF THE DISTRICT COURTS ACT 1967-1972;

PART III—AMENDMENT OF THE MAGISTRATES COURTS ACT 1921-1975;

PART IV—AMENDMENT OF THE CROWN REMEDIES ACTS, 1874 TO 1956;

PART V—AMENDMENT OF THE PROPERTY LAW ACT 1974-1975.

PART II—AMENDMENT OF THE DISTRICT COURTS ACT 1967–1972

4. Citation. (1) In this Part, the *District Courts Act 1967–1972* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *District Courts Act 1967–1976*.

5. Amendment of s. 66. Section 66 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:—

“(1) A District Court shall have jurisdiction to hear and determine all personal actions where the amount, value or damage sought to be recovered is not more than \$15 000 whether on balance of account or after an admitted set-off or otherwise.”.

6. Amendment of s. 67. Section 67 of the Principal Act is amended by omitting the words “ paragraph (b) of ”.

7. Amendment of s. 68. Section 68 of the Principal Act is amended by omitting the words “ paragraph (b) of ”.

8. Amendment of s. 70. Section 70 of the Principal Act is amended by omitting all words from and including the words “ paragraph (b) of ” to and including the words “ sixty-six of this Act) ” and substituting the words “ subsection (1) of section sixty-six ”.

9. Repeal of s. 72. The Principal Act is amended by repealing section 72.

10. Amendment of s. 74. Section 74 of the Principal Act is amended by, in subsection (2), omitting the words “ paragraph (b) of ”.

11. Amendment of s. 75. Section 75 of the Principal Act is amended by—

(a) omitting provision (c);

(b) omitting the words “ one thousand two hundred dollars ” wherever occurring and substituting in each case the expression “ \$2 500 ”.

12. Amendment of s. 88. Section 88 of the Principal Act is amended by omitting the words “ Part III of “ *The Landlord and Tenant Acts, 1948 to 1961,* ” ” and substituting the words “ Division 5 of Part VIII of the *Property Law Act 1974–1976* ”.

13. Amendment of s. 89. Section 89 of the Principal Act is amended by omitting the words “ paragraph (b) of ”.

14. Amendment of s. 90. Section 90 of the Principal Act is amended by—

(a) omitting the words “ Part III of “ *The Landlord and Tenant Acts, 1948 to 1961,* ” ” and substituting the words “ Division 5 of Part VIII of the *Property Law Act 1974–1976* ”;

(b) omitting the words “ one thousand two hundred dollars ” and substituting the expression “ \$2 500 ”.

15. Amendment of s. 92. Section 92 of the Principal Act is amended by—

(a) in subsection (1),

(i) omitting provision (c);

(ii) omitting the words “one thousand two hundred dollars” wherever occurring and substituting in each case the expression “\$2 500”;

(b) omitting from subsection (3) the words “three thousand dollars” and substituting the expression “\$5 000”.

PART III—AMENDMENT OF THE MAGISTRATES COURTS ACT 1921-1975

16. Citation. (1) In this Part, the *Magistrates Courts Act 1921-1975* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Magistrates Courts Act 1921-1976*.

17. Amendment of s. 4. Section 4 of the Principal Act is amended by—

(a) omitting the words “six hundred pounds” wherever occurring and substituting in each case the expression “\$2 500”;

(b) in subsection (1)—

(i) omitting after subparagraph (c) the expression “;” and the word “and”;

(ii) omitting subparagraph (d).

18. Amendment of s. 11. Section 11 of the Principal Act is amended by—

(a) in subsection (3) omitting subparagraph (iii);

(b) omitting the words “seventy-five pounds” wherever occurring and substituting in each case the expression “\$300”;

(c) omitting the words “fifty pounds” and substituting the expression “\$200”.

PART IV—AMENDMENT OF THE CROWN REMEDIES ACTS, 1874 TO 1956

19. Citation. (1) In this Part, *The Crown Remedies Acts, 1874 to 1956* are referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Crown Remedies Act 1874-1976*.

20. Amendment of s. 2A. Section 2A of the Principal Act is amended by omitting the words “six hundred pounds” and substituting the expression “\$2·500”.

PART V—AMENDMENT OF THE PROPERTY LAW ACT 1974–1975

21. Citation. (1) In this Part, the *Property Law Act 1974–1975* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Property Law Act 1974–1976*.

22. Amendment of s. 41. Section 41 of the Principal Act is amended by omitting the words “six thousand dollars” and substituting the expression “\$15 000”.

23. Amendment of s. 108. Section 108 of the Principal Act is amended by omitting the words “one thousand two hundred dollars” and substituting the expression “\$2 500”.

24. Amendment of s. 147. Section 147 of the Principal Act is amended by omitting from subsection (5) the words “one thousand two hundred dollars” and substituting the expression “\$2 500”.