

AUSTRALIAN CAPITAL TERRITORY

Magistrates Court Ordinance 1985

No. 67 of 1985

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 12 December 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

LIONEL BOWEN
Attorney-General

An Ordinance to amend the *Court of Petty Sessions Ordinance 1930* and for other purposes

Short title

1. This Ordinance may be cited as the *Magistrates Court Ordinance 1985*.¹

Commencement

2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for Territories by notice in the *Gazette*.

Principal Ordinance

3. (1) In this Ordinance, "Principal Ordinance" means the *Court of Petty Sessions Ordinance 1930*.²

- (2) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Magistrates Court Ordinance 1930*.

Long title

4. The title of the Principal Ordinance is amended by omitting “Court of Petty Sessions” and substituting “Magistrates Court”.

Interpretation

5. Section 5 of the Principal Ordinance is amended—

- (a) by omitting “Court of Petty Sessions” from the definition of “Court” in sub-section (1) and substituting “Magistrates Court”; and
- (b) by omitting “stipendiary” from the definition of “Magistrate” in sub-section (1).

Heading—Part II, Division 1

6. The heading to Division 1 of Part II of the Principal Ordinance is amended by omitting “*Stipendiary*”.

Interpretation

7. Section 6A of the Principal Ordinance is amended by omitting from paragraph (b) “holds an office of Stipendiary Magistrate” and substituting “is appointed under section 7 to hold an office of Magistrate”.

8. Section 7 of the Principal Ordinance is repealed and the following section substituted:

Chief Magistrates, Magistrates

“7. (1) For the purposes of this Ordinance, there shall be a Chief Magistrate and such other Magistrates as from time to time hold office in accordance with this Ordinance.

“(2) The Chief Magistrate and each other Magistrate shall be appointed by the Governor-General.

“(3) Where a person holding an office of Magistrate is appointed to hold the office of Chief Magistrate, the person ceases to hold the office of Magistrate.”.

Seniority of Magistrates

9. Section 9 of the Principal Ordinance is amended by omitting “Stipendiary Magistrates” and substituting “Magistrates other than the Chief Magistrate”.

Acting Chief Magistrate

10. Section 10C of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Stipendiary”; and
- (b) by omitting from sub-section (2) “Stipendiary”.

Arrangement of business of Courts

11. Section 10G of the Principal Ordinance is amended—

- (a) by omitting “court of Petty Sessions” and substituting “Magistrates Court”;
- (b) by omitting “Stipendiary Magistrates” and substituting “Magistrates and special magistrates”; and
- (c) by inserting “or special magistrate” after “Magistrate”.

Heading—Part II, Division 3

12. The heading to Division 3 of Part II of the Principal Ordinance is amended by omitting “*Court of Petty Sessions*” and substituting “*Magistrates Court*”.

Appointment of Clerk, &c.

13. Section 10M of the Principal Ordinance is amended by omitting “Court of Petty Sessions” and substituting “Magistrates Court”.

Heading—Part III

14. The heading to Part III of the Principal Ordinance is omitted and the following heading substituted:

“PART III—MAGISTRATES COURT”

Heading—Part III, Division 1

15. The heading to Division 1 of Part III of the Principal Ordinance is amended by omitting “*Court of Petty Sessions*” and substituting “*Magistrates Court*”.

Constitution of the Court

16. Section 18 of the Principal Ordinance is amended by omitting sub-section (1) and substituting the following sub-section:

“(1) There is hereby established a Magistrates Court which shall have and exercise jurisdiction in the Territory and shall sit at Canberra, Jervis Bay and such other places as are appointed by proclamation.”.

Heading—Part III, Division 2

17. The heading to Division 2 of Part III of the Principal Ordinance is amended by omitting “*Court of Petty Sessions*” and substituting “*Magistrates Court*”.

Jurisdiction of the Court

18. Section 19 of the Principal Ordinance is amended—

- (a) by omitting all the words from and including “or any jurisdiction” to and including “Children’s Court,”; and
- (b) by adding at the end the following sub-section:

“(2) Where, by any law in force in the Territory pursuant to section 6 of the *Seat of Government Acceptance Act 1909*, any jurisdiction is given to a Court of Petty Sessions or of summary jurisdiction or any court constituted by a Police or Stipendiary Magistrate or justices, or to a Magistrate or to a justice or justices or a Children’s Court, the matter may be heard and determined by the Court in a summary manner under the provisions of this Ordinance, and the jurisdiction shall be deemed to be conferred on, and may be exercised by, the Court.”.

Procedure for removal of cases

19. Section 24B of the Principal Ordinance is amended—

- (a) by omitting from paragraph (e) “Court of Petty Sessions” and substituting “Magistrates Court”; and
- (b) by omitting from paragraph (g) “Court of Petty Sessions” and substituting “Magistrates Court”.

Jurisdiction of Supreme Court

20. Section 207 of the Principal Ordinance is amended by omitting from sub-section (1) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”.

Appeals to which this Division applies

21. Section 208 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”; and
- (b) by omitting from sub-section (2) “Court of Petty Sessions” and substituting “Magistrates Court”.

Manner of making appeal to which this Division applies

22. Section 209 of the Principal Ordinance is amended—

- (a) by omitting from sub-paragraph (1) (b) (ii) “Court of Petty Sessions” and substituting “Magistrates Court”; and
- (b) by omitting from paragraph (2) (a) “Court of Petty Sessions” and substituting “Magistrates Court”.

Appeals in civil cases

23. Section 215 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (2) (a) “Court of Petty Sessions” and substituting “Magistrates Court”; and
- (b) by omitting from paragraph (3) (a) “Court of Petty Sessions” and substituting “Magistrates Court”.

Orders by Supreme Court on appeals

24. Section 218 of the Principal Ordinance is amended by omitting from sub-sections (1) and (2) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”.

Barring of right of appeal under this Division if order to review is granted

25. Section 219 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Court of Petty Sessions” and substituting “Magistrates Court”; and
- (b) by omitting from sub-section (2) “Court of Petty Sessions” and substituting “Magistrates Court”.

Appeals by way of orders to review

26. Section 219B of the Principal Ordinance is amended by omitting “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”.

Grant of order *Nisi* to review

27. Section 219C of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”; and
- (b) by omitting from sub-section (2) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”.

Security for costs and stay of execution

28. Section 219D of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”; and
- (b) by omitting from sub-section (1A) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”.

Powers of Supreme Court

29. Section 219F of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”;
- (b) by omitting from sub-section (1A) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”;
- (c) by omitting from sub-section (2) “Court of Petty Sessions” (wherever occurring) and substituting “Magistrates Court”;
- (d) by omitting from sub-section (3) “Court of Petty Sessions” and substituting “Magistrates Court”;
- (e) by omitting from sub-section (4) “Court of Petty Sessions” and substituting “Magistrates Court”; and
- (f) by omitting from sub-section (5) “Court of Petty Sessions” and substituting “Magistrates Court”.

Control of Supreme Court over summary convictions

30. Section 222 of the Principal Ordinance is amended by omitting from sub-section (1) “Court of Petty Sessions” and substituting “Magistrates Court”.

Amendment

31. Section 223 of the Principal Ordinance is amended by omitting “Court of Petty Sessions” and substituting “Magistrates Court”.

Respecting the amendment of convictions, &c.

32. Section 227 of the Principal Ordinance is amended by omitting from sub-section (1) “Court of Petty Sessions” and substituting “Magistrates Court”.

No action against Magistrate for judicial acts in Magistrates Court

33. Section 240 of the Principal Ordinance is amended by omitting “Court of Petty Sessions” and substituting “Magistrates Court”.

The First Schedule

34. The First Schedule to the Principal Ordinance is amended—

- (a) by omitting from each of Forms 1, 2, 5, 12, and 13 “*Court of Petty Sessions*” and substituting “*Magistrates Court*”;
- (b) by omitting from each of Forms 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14A, 16, 17, 18, 19, 20, 23, 24, 27, 30, 32, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 80, 81, 82, 83, 84, and 86 “*Court of Petty Sessions*” (wherever occurring) and substituting “*Magistrates Court*”;
- (c) by omitting from Form 81 “*Court of Petty Sessions Ordinance 1930*” and substituting “*Magistrates Court Ordinance 1930*”; and
- (d) by omitting from Form 88 “*Court of Petty Sessions Ordinance 1936*” and substituting “*Magistrates Court Ordinance 1930*”.

The Third Schedule

35. The Third Schedule to the Principal Ordinance is amended—

- (a) by omitting “*Court of Petty Sessions*” and substituting “*Magistrates Court*”; and
- (b) by omitting “*Court of Petty Sessions*” (wherever occurring) and substituting “*Magistrates Court*”.

Transitional provisions

36. (1) This section has effect subject to the provisions of the Principal Ordinance as amended by this Ordinance.

(2) Proceedings pending in the Court of Petty Sessions immediately before the commencement of this Ordinance may be continued and determined in the Magistrates Court, and any right of appeal in relation to those proceedings may be exercised and the appeal heard and determined, as if this Ordinance had commenced before those proceedings were instituted.

(3) A claim, complaint, information, warrant, summons or other process or document issued out of or filed, made or laid, or a recognizance entered into, before the commencement of this Ordinance in connection with proceedings pending or determined in the Court of Petty Sessions immediately before that commencement shall, on and after that commencement, continue to have force and effect for the purpose of those proceedings as if this Ordinance had commenced before those proceedings were instituted, and for the purpose of those proceedings—

- (a) a reference in that claim, complaint, information, warrant, summons, process, recognizance or document to the Court of Petty Sessions shall be read as a reference to the Magistrates Court;
- (b) a reference in that claim, complaint, information, warrant, summons, process, recognizance or document to a Stipendiary Magistrate shall be read as a reference to a Magistrate; and
- (c) a reference in that claim, complaint, information, warrant, summons, process, recognizance or document to the Clerk or a Deputy Clerk of the Court of Petty Sessions shall be read as a reference to the Clerk or a Deputy Clerk, as the case requires, of the Magistrates Court.

(4) A judgment, conviction, order or decision given, entered or made, or a sentence, fine or other penalty imposed, by the Court of Petty Sessions before the commencement of this Ordinance shall, on and after that commencement, continue to have force and effect for all purposes, and any right of appeal in relation to that judgment, conviction, order, decision, sentence, fine or penalty may be exercised and the appeal heard and determined accordingly.

(5) A person who, immediately before the commencement of this Ordinance, held the office of Chief Magistrate or an office of special magistrate under the Principal Ordinance shall, on and after that commencement, continue to hold the office of Chief Magistrate or an office of special magistrate, as the case requires, as if he had been appointed to that office under sub-section 7 (2) or section 10H, as the case may be, of the Principal Ordinance as amended by this Ordinance.

(6) A person who, immediately before the commencement of this Ordinance, held an office of Stipendiary Magistrate under the Principal Ordinance shall, on and after that commencement, hold the office of Magistrate as if he had been appointed to that office under sub-section 7 (2) of the Principal Ordinance as amended by this Ordinance.

(7) For the purposes of the Principal Ordinance as amended by this Ordinance, the appointment of a person referred to in sub-section (5) or (6) to hold office as the Chief Magistrate, a Magistrate or a special magistrate shall be deemed to have taken effect on the date on which his appointment to hold office as the Chief Magistrate, a Stipendiary Magistrate or a special magistrate, as the case may be, under the Principal Ordinance took effect.

(8) An act or thing done before the commencement of this Ordinance by a person who then hold office as the Chief Magistrate, a Stipendiary Magistrate, or special magistrate, the Clerk or a Deputy Clerk of the Court of Petty Sessions or a bailiff under the Principal Ordinance has the same force and effect on and after that commencement as it would have had if—

- (a) this Ordinance had commenced before the act or thing was done; and
- (b) the person had, when the act or thing was done, held office as the Chief magistrate, a magistrate, a special magistrate, the Clerk or a Deputy Clerk of the Magistrates Court or a bailiff, as the case requires, under the Principal Ordinance as amended by this Ordinance.

(9) A person who, immediately before, the commencement of this Ordinance, held office as the Clerk or a Deputy Clerk of the Court of Petty Sessions or a bailiff under the Principal Ordinance shall, on and after that commencement, hold office as the Clerk or a Deputy Clerk of the Magistrates Court or a bailiff, as the case requires, as if that person had been appointed to that office under section 10M of the Principal Ordinance as amended by this Ordinance.

(10) For the purposes of the Principal Ordinance as amended by this Ordinance, the appointment of a person referred to in sub-section (9) to hold office as the Clerk or a Deputy Clerk of the Magistrates Court or a bailiff shall be deemed to have taken effect on the date on which his or her appointment to hold office as Clerk or a Deputy Clerk of the Court of Petty Sessions or a bailiff, as the case may be, under the Principal Ordinance took effect.

(11) On and after the commencement of this Ordinance—

- (a) a reference in a law in force in the Territory to the Court of Petty Sessions shall, unless the contrary intention appears, be read as a reference to the Magistrates Court; and
- (b) a reference in a law of the Territory to a Stipendiary Magistrate shall, unless the contrary intention appears, be read as a reference to a Magistrate.

Amendment of Ordinances and Regulations

37. (1) The Ordinances and Acts specified in Part 1 of the Schedule, and the regulations specified in Part 2 of the Schedule, are amended as set out in Parts 1 and 2, respectively, of the Schedule.

(2) Notwithstanding the repeal of section 4 of the *Maintenance Ordinance 1968* effected by this Ordinance, a maintenance order deemed, by virtue of sub-section 4 (2) of the *Maintenance Ordinance 1968* as in force immediately before the commencement of this Ordinance, to be registered in the Court of Petty Sessions shall be deemed to be registered in the Magistrates Court.

(3) An order registered in the Court of Petty Sessions under sub-section 68 (2) or 80 (5) of the *Maintenance Ordinance 1968* as in force immediately before the commencement of this Ordinance shall be deemed to have been registered in the Magistrates Court.

SCHEDULE

Section 37

PART 1

Amendment of Ordinances and Acts

Adoption of Children Ordinance 1965

Section 5—

Repeal the section.

Air Pollution Ordinance 1984

Section 25—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Animal Nuisance Control Ordinance 1975

Sub-section 2 (1), definition of “Court”—

Omit the definition, substitute the following definition:

“ ‘ Court’ means the Magistrates Court;”.

Section 11—

Omit “*Court of Petty Sessions Ordinance 1930-1974*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 13 (1)—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Apprenticeship Ordinance 1936

Sub-section 31A (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Auctioneers Ordinance 1959

After the definition of “auctioneer” in sub-section 3 (1)—

Insert the following definition:

“ ‘Court’ means the Magistrates Court;”.

Sub-section 3 (1), definition of “the Court”—

Omit the definition.

Second Schedule, Forms A, B, C, D and E—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Building and Services Ordinance 1924

Section 3E—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrate Court”.

Canberra Retail Markets Ordinance 1971

Sub-sections 35A (2), (3), (4), (5) and (6)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Careless Use of Fire Ordinance 1936**After the definition of “Council” in section 3—**

Insert the following definition:

“ ‘ Court’ means the Magistrates Court;”.

Section 3, definition of “the Court”—

Omit the definition.

Child Welfare Agreement Ordinance 1941**Section 3—**

Add at the end the following sub-section:

“(2) For the purposes of the application of the Supplemental Agreement on and after the date of commencement of the *Magistrates Court Ordinance 1985*, the reference in the definition of “Court” in sub-clause 2 (2) of that agreement to the Court of Petty Sessions of the Territory shall be read as a reference to the Magistrates Court.”.

Child Welfare Ordinance 1957**After the definition of “child” in section 5—**

Insert the following definition:

“ ‘Court’ means the Magistrates Court when known by virtue of section 13 of this Ordinance as the Children’s Court;”.

Section 5, definition of “the Court”—

Omit the definition.

Section 12 and sub-section 13 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-sections 13 (2) and (3) and 15 (1)—

Omit “*Court of Petty Sessions Ordinance 1930-1953*”, substitute “*Magistrates Court Ordinance 1930*”.

City Area Leases Ordinance 1936**Sub-section 9E (1)—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Classification of Publications Ordinance 1983

Sub-section 3 (1), definition of “Court”—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Collections Ordinance 1959

Sub-sections 5A (1) and (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Contractors’ Debts Act, 1897 of the State of New South Wales in its application to the Territory

Sections 13 and 17—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Co-operative Societies Ordinance 1939

Sub-sections 58 (7), (8), (9) and (10)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Coroners Ordinance 1956

Sub-section 10A (2)—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Sub-paragraph 26 (9) (b) (i)—

Omit “*Court of Petty Sessions Ordinance 1930-1953*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 29 (1)—

(a) Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

(b) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 29 (2)—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Paragraph 33 (3) (a) and sub-section 33 (6)—

Omit “Court of Petty Sessions proceeds under Part VI of the *Court of Petty Sessions Ordinance 1930-1974*”, substitute “Magistrates Court proceeds under Part VI of the *Magistrates Court Ordinance 1930*”.

Sub-section 33 (7)—

Omit “*Court of Petty Sessions Ordinance 1930-1974*”, substitute “*Magistrates Courts Ordinance 1930*”.

Sub-section 34 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Section 40—

- (a) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.
- (b) Omit “*Court of Petty Sessions Ordinance 1930-1953*”, substitute “*Magistrates Court Ordinance 1930*”.

Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982**Short title—**

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Title—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 3 (1), definition of “court”—

Omit the definition, substitute the following definition:

“ ‘court’ means the Magistrates Court;”.

Sub-section 282A (1), paragraph 282E (2) (a) and sub-sections 282J (1) and (2)—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Sections 309 and 310—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 311 (1)—

- (a) Omit “*Court of Petty Sessions Ordinance 1930*” (wherever occurring), substitute “*Magistrates Court Ordinance 1930*”.
- (b) Omit, “Court of Petty Sessions Rules” (wherever occurring), substitute “Magistrates Court Rules”.

Paragraph 311 (2) (a)—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Schedule, Forms 1, 2, 3, 57, 58, 59, 60, 61, 62, and 63—

Omit “COURT OF PETTY SESSIONS”, substitute “MAGISTRATES COURT”.

Schedule, Forms 29, 55, 59, 62, 63 and 70—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Schedule, Forms 29, 30, 51, and 59—

Omit “Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982”, substitute “Magistrates Court (Civil Jurisdiction) Ordinance 1982”.

Courts (Hire-Purchase Agreements) Ordinance 1963

Sub-section 4 (1), definition of “court of the Territory”—

Omit paragraph (b), substitute the following paragraph:

“(b) Magistrates Court;”.

Sub-section 4 (1), definition of “the Court of Petty Sessions”—

Omit the definition.

Paragraph 6 (2) (a)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Credit Ordinance 1985

Sub-section 5 (1), definition of “cross-claim”—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Sub-sections 210 (3), (4) and (6)—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*” (wherever occurring), substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Sub-sections 210 (3), (5) and (6)—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Cremation Ordinance 1966**Sub-section 10 (1)—**

- (a) Omit “stipendiary”, substitute “Magistrate”.
- (b) Omit “*Court of Petty Sessions Ordinance 1930-1966*”, substitute “*Magistrates Court Ordinance 1930*”.

Criminal Injuries Compensation Ordinance 1983**Section 2, definition of “Clerk”—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Paragraph 10 (4) (b) and sub-section 11 (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 12 (1)—

- (a) Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.
- (b) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-sections 12 (3) and 30 (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Crimes Act, 1900 of the State of New South Wales in its application to the Territory**Sub-sections 350 (1), (4) and 358B (6), paragraph 477 (2) (a), sections 479, 480 and 556F, sub-sections 481 (2), 556A (1), (2), (3), (5), 556B (3), 556C (6) and (7), 556G (3), 556N (1), (3), (4), 556P (1), (4), 556Q (1) and Schedule 5 Form 2—**

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Sub-section 554 (5)—

Omit “*Court of Petty Sessions Ordinance 1930-1951*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 556C (2)—

Omit “*Court of Petty Sessions Ordinance 1930-1968*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 556E (2)—

- (a) Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.
- (b) Omit “Petty Sessions”, substitute “the Magistrates Court”.

Sub-section 477 (9), 556G (3), 556H (1), 556R (1) and (2) and Schedule 5 Form 2—

Omit “*Court of Petty Sessions Ordinance 1930*” (wherever occurring), substitute “*Magistrates Court Ordinance 1930*”.

Sixth Schedule—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Dangerous Goods Ordinance 1984

Schedule, Part 1, Item 3, third column, paragraph (b)—

Omit “Court of Petty Sessions,” substitute “Magistrates Court”.

Defamation (Amendment) Act, 1909 of the State of New South Wales in its application to the Territory

Sub-section 9 (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Dividing Fences Ordinance 1981

Sub-section 2 (1), definition of “Court”—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-sections 9 (3) and 10 (3)—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Schedule, Forms 1, 2, 3, 4, 5, 6, 7 and 8—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Electricity Ordinance 1971**Sub-sections 31 (3) and (4) and 33 (2) and (2B)—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Enclosed Lands Protection Ordinance 1943**Sub-sections 6 (1)—**

Omit “a Court of Petty Sessions”, substitute “the Magistrates Court”.

Evidence Ordinance 1971**Section 27—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Paragraph 41 (b)—

- (a) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.
- (b) Omit “*Court of Petty Sessions Ordinance 1930-1970*”, substitute “*Magistrates Court Ordinance 1930*”.

Section 42—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Paragraph 72 (1) (b)—

Omit “*Court of Petty Sessions Ordinance 1930-1970*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 72 (7)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Paragraph 73 (2) (a)—

Omit “*Court of Petty Sessions Ordinance 1930-1970*”, substitute “*Magistrates Court Ordinance 1930*”.

Paragraph 75 (1) (d), sub-sections 75 (2) and (3) and sections 76A and 82—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Fire Brigade Ordinance 1957

Sub-sections 12A (1), 12B (1) and (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Fishing Ordinance 1967

Sub-section 36 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Fluoroscopes Ordinances 1958

After the definition of “Commissioner” in section 2—

Insert the following definition:

“ ‘Court’ means the Magistrate Court;”.

Section 2, definition of “the Court”—

Omit the definition.

Games, Wagers and Betting Houses Act, 1901 of the State of New South Wales in its application to the Territory

Sub-sections 4 (1) and 6 (4), sections 11 and 25 and the Second Schedule—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Gaming and Betting Act, 1906 of the State of New South Wales in its application to the Territory

Sections 12 and 22—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Gun Licence Ordinance 1937

Sub-section 3 (1), definition of “Magistrate”—

Omit the definition.

Hawkers Ordinance 1936

Sub-section 24 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Interpretation Ordinance 1967**Sub-section 14 (1), definition of “Court of Petty Sessions”—**

Omit the definition.

Sub-section 14 (1), definition of “court of summary jurisdiction”—

Omit the definition, substitute the following definition:

“ ‘court of summary jurisdiction’ means the Magistrates Court;”.

Sub-section 14 (1), definition of “magistrate”—

Omit the definition, substitute the following definitions:

“ ‘magistrate’ means a Magistrate within the meaning of the *Magistrates Court Ordinance 1930*;

‘Magistrates Court’ means the Magistrates Court established pursuant to the *Magistrates Court Ordinance 1930*;”.

Juries Ordinance 1967**Sub-sections 6 (1), definition of “Magistrate”—**

Omit the definition.

Landlord and Tenant Act, 1899 of the State of New South Wales in its application to the Territory

Heading to Part IV and sub-section 23 (1) and (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Landlord and Tenant Ordinances 1949**After the definition of “business premises” in sub-section 8 (1)—**

Insert the following definition:

“ ‘Court’ means the Magistrates Court;”.

Sub-section 8 (1), definition of “the Court”—

Omit the definition.

Section 70—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 75 (2)—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*.”

Litter Ordinance 1977

Section 2, definition of “Court”—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Maintenance Ordinance 1968

Section 4—

Repeal the section.

After the definition of “complainant” in sub-sections 6 (1)—

Insert the following definition:

“ ‘Court’ means the Magistrates Court;”.

Sub-section 6 (1), definition of “the Clerk”—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Sub-section (6) (1) definition of “the Court”—

Omit the definition.

Sub-sections 41 (6) and (8), sub-paragraph 65 (5) (a) (i)—

Omit “*Court of Petty Sessions Ordinance 1930-1967*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 102 (2)—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Paragraph 120 (1) (a)—

Omit “*Court of Petty Sessions Ordinance 1930-1967*”, substitute “*Magistrates Court Ordinance 1930*”.

Mental Health Ordinance 1962

Section 2, definition of “magistrate”—

Omit the definition.

Mental Health Ordinance 1983**Paragraphs 21 (6) (b), 24 (1) (c) and (d), section 22A, sub-sections 25 (1), 28 (1) and (4), section 31A—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 29 (6)—

- (a) Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.
- (b) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-sections 34 (1), 36 (1) and (2) and 44 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 44 (2)—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Paragraph 45 (3) (a), sub-sections 45 (4) and 74 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Mercantile Law Ordinance 1962**Section 17, definition of “the Court”—**

Omit the definition, substitute the following definition:

“ ‘Court’ means the Magistrates Court;”.

Milk Authority Ordinance 1971**Sub-sections 32 (1), (2), (3), (4) and (5)—**

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Motor Traffic (Alcohol and Drugs) Ordinance 1977**Sub-section 4 (1), definition of “Court”—**

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Sub-section 25 (4)—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 32 (3)—

- (a) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.
- (b) Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Section 39—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Motor Traffic Ordinance 1936

After the definition of “certificate of registration” in sub-section 4 (1)—

Insert the following definition:

“ ‘ Court’ means the Magistrates Court;”.

Sub-section 4 (1), definition of “the Court”—

Omit the definition.

Sub-section 86 (8)—

Omit “*Court of Petty Sessions Ordinance 1930-1940*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 86 (9)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 192 (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-section 192A (3)—

- (a) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.
- (b) Omit “*Court of Petty Sessions Ordinance 1930-1974*”, substitute “*Magistrates Court Ordinance 1930*”.

Sub-section 201 (1)—

Omit “any court of Petty Sessions”, substitute “the Magistrates Court”.

Nature Conservation Ordinance 1980**Sub-sections 43 (6), 60 (2) and 80 (1)—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

New South Wales Acts Application Ordinance 1984**Paragraph 7 (b)—**

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Paragraph 7 (d)—

Omit the paragraph, substitute the following paragraph:

“(d) a reference in the Act to a Magistrate shall be read as a reference to a Magistrate within the meaning of the *Magistrates Court Ordinance 1930*.”.

New South Wales Acts Application Ordinance 1985**Paragraph 8 (b)—**

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Paragraph 8 (d)—

Omit the paragraph, substitute the following paragraph:

“(d) a reference in the Act to a Magistrate shall be read as a reference to a Magistrate within the meaning of the *Magistrates Court Ordinance 1930*.”.

Parole Orders (Transfer) Ordinance 1983**Paragraph 10 (3) (a)—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Parole Ordinance 1976**Paragraph 17 (6) (b)—**

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Pawnbrokers Act 1902 of the State of New South Wales in its application to the Territory

Sub-sections 6 (1), (2), sections 8, 31, 32, sub-sections 34 (2), 39 (1), First Schedule, Second Schedule—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Plant Diseases Ordinance 1934

Sub-section 13 (2)—

Omit “any Court of Petty Sessions”, substitute “the Magistrates Court”.

Poisons and Dangerous Drugs Ordinance 1933

Sub-section 9 (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court.”

Poisons and Narcotic Drugs Ordinance 1978

Sub-section 4 (8)—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Sub-section 26 (4)—

- (a) Omit “*Court of Petty Sessions*”, substitute “*Magistrates Court Ordinance 1930*”.
- (b) Omit “Court of Petty Sessions”, substitute “Magistrates Court.”

Sub-section 52 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court.”

Police Offences Ordinance 1930

Section 5, definition of “Court”—

Omit “Court of Petty Sessions established under the *Court of Petty Sessions Ordinance 1930*”, substitute “Magistrates Court”.

Pounds Ordinance 1928

Sub-section 5 (1), definition of “Sufficient fence”—

Omit “a Court of Petty Sessions”, substitute “the Magistrates Court”.

Section 19—

Omit “a Court of Petty Sessions”, substitute “the Magistrates Court”.

Section 20—

Omit “any court of Petty Sessions”, substitute “the Magistrates Court”.

Sections 26, 31, 32 and sub-section 33 (1)—

Omit “a Court of Petty Sessions” (wherever occurring), substitute “the Magistrates Court”.

Prevention of Cruelty to Animals Ordinances 1959**After the definition of “animal” in section 4—**

Insert the following definition:

“ ‘Court’ means the Magistrates Court;”.

Section 4, definition of “the Court”—

Omit the definition.

Sub-section 11 (2)—

Omit “*Court of Petty Sessions Ordinance 1930-1958*”, substitute “*Magistrates Court Ordinance 1930*”.

Printing and Newspapers Ordinance 1961**Sub-section 4 (1), definition of “Magistrate”—**

Omit the definition.

Protection of Lands Ordinance 1937**Paragraph 12 (c), sub-section 13 (1) and paragraph 14 (b)—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Public Gates Act 1901 of the State of New South Wales in its application to the Territory**Sub-section 5 (3)—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Public Health (Prohibited Drugs) Ordinance 1957

Section 2, definition of “Magistrate”—

Omit the definition.

Public Parks Ordinance 1928

Sub-section 10 (2)

Omit “any Court of Petty Sessions”, substitute “the Magistrates Court”.

Public Trustees Ordinance 1985

Paragraph 25 (8) (a)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Pyramid Selling Ordinance 1973

Sub-section 10 (6)—

Omit “*Court of Petty Sessions Ordinance 1930-1972*”, substitute “*Magistrates Court Ordinance 1930*”.

Rabbit Destruction Ordinance 1919

Sub-section 17 (2)—

Omit “Court of Petty Sessions;”, substitute “Magistrates Court,”.

Recovery of Lands Ordinance 1929

Section 4—

Omit “any magistrate sitting as a Court of Petty Sessions having jurisdiction in the Territory”, substitute “a magistrate sitting as the Magistrates Court”.

The Schedule, Form A—

- (a) Omit “A COURT OF PETTY SESSIONS”, substitute “THE MAGISTRATES COURT”.
- (b) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

The Schedule, Forms B, C, D and E—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Remand Centres Ordinance 1976**Section 3, definition of “Chief Magistrate”—**

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Section 3, definition of “magistrate”—

Omit the definition.

Paragraph 15 (1) (b) and (d)—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Sale of Motor Vehicles Ordinance 1977**Sub-section 63 (1)—**

Omit “*Court of Petty Sessions*”, substitute “*Magistrates Court*”.

Seat of Government (Administration) Ordinance 1930**Second Schedule—Part 1—**

(a) Omit—

“*Court of Petty Sessions Ordinance 1930*

Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982”.

(b) Insert—

“*Magistrates Court (Civil Jurisdiction) Ordinance 1982*

Magistrates Court Ordinance 1930”,

After—

“*Lunacy Ordinance 1938*”.

Second-hand Dealers and Collectors Act 1906 of the State of New South Wales in its application to the Territory**Section 2, First Schedule, Sixth Schedule—**

Omit “*Court of Petty Sessions*” (wherever occurring), substitute “*Magistrates Court*”.

Small Claims Ordinance 1974

Sub-section 3 (1), definitions of “Clerk” and “Court”—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-sections 4 (1), 7 (2), 20 (8), 22 (1) and (2), section 22A, sub-sections 23 (1) and (4), 24 (1), (4) and (5), section 26, sub-sections 29 (2) and 41 (1), section 44A, sub-sections 44C (1), (2) and (3) and 46 (2)—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*” (wherever occurring), substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Sub-sections 4 (1) and 4a (1), (2) and (3)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Schedule—Forms 2, 4, 6, 9 and 10—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Small Claims Court”.

Schedule-Form 4—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*” substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Trespass on Commonwealth Lands Ordinance 1932

Sub-section 9 (3)

Omit “a Court of Petty Sessions”, substitute “the Magistrates Court”.

Tuberculosis Ordinance 1950

Section 3, definition of “the Court”—

Omit “Court of Petty Sessions, constituted by a magistrate (other than a special magistrate)”, substitute “Magistrates Court, constituted by a magistrate”.

Sub-section 10 (4)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Unlawful Games Ordinance 1984

Section 3, definition of “Court”—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Venereal Diseases Ordinance 1956**Before the definition of “medical practitioner” in section 4—**

Insert the following definition:

“ ‘Court’ means the Magistrates Court;”.

Section 4, definition of “the Court”—

Omit the definition.

Water Pollution Ordinance 1984**Sub-sections 38 (3), (4) and (5)—**

Omit “a Court of Petty Sessions”, substitute “the Magistrates Court”.

Weights and Measures Ordinance 1929**Sub-section 41 (1)—**

Omit “a Court of Petty Sessions”, substitute “the Magistrates Court”.

Workmen’s Compensation Ordinance 1951**After the definition of “Compensation” in sub-section 6 (1)—**

Insert the following definition:

“ ‘Court’ means the Magistrates Court;”.

Sub-section 6 (1), definition of “the Court”—

Omit the definition.

Sub-section 26 (2)—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Workmen’s Compensation Supplementation Fund Ordinance 1980**Section 2, definition of “the Court”—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

PART II

Amendment of Regulations

Bookmakers Regulations

Paragraph 4 (b)—

Omit “Court of Petty Sessions within the meaning of the *Court of Petty Sessions Ordinance 1930*”, substitute “Magistrates Court within the meaning of the *Magistrates Court Ordinance 1930*”.

City Area Leases Regulations

Regulation 8—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Court of Petty Sessions (Civil Jurisdiction) (Fees) Regulations

Regulation 1—

Omit “Court of Petty Sessions (Civil Jurisdiction) (Fees) Regulations”, substitute “Magistrates Court (Civil Jurisdiction) (Fees) Regulations”.

Regulation 2—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Sub-regulation 3 (2)—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Court of Petty Sessions (Civil Jurisdiction) (Solicitors’ Costs) Regulations

Regulation 1—

Omit “Court of Petty Sessions (Civil Jurisdiction) (Solicitors’ Costs) Regulations”, substitute “Magistrates Court (Civil Jurisdiction) (Solicitors’ Costs) Regulations”.

Regulation 2, definition of “the Ordinance”—

Omit “*Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*”, substitute “*Magistrates Court (Civil Jurisdiction) Ordinance 1982*”.

Schedule 2, items 43 and 44—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Court of Petty Sessions Rules**Rule 1—**

Omit “Court of Petty Sessions Rules”, substitute “Magistrates Court Rules”.

Sub-rule 3 (1), definition of “Clerk of Petty Sessions”—

Omit the definition, substitute the following definition:

“ ‘Clerk’ means Clerk of the Magistrates Court;”.

Sub-rule 3 (1), definition of “the Ordinance”—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Paragraph 68 (3) (a) and sub-rule 69 (2)—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Rule 97A—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

First Schedule, Forms 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

First Schedule, Forms 1, 2, 4, 5, 16, 18, 20 and 21—

Omit “Petty Sessions” (wherever occurring), substitute “Magistrates Court”..

First Schedule, Forms 2, 4 and 21—

Omit “of Petty Sessions”.

Court of Petty Sessions (Solicitors' Costs) Rules

Rule 1—

Omit “Court of Petty Sessions (Solicitors' Costs) Rules”, substitute “Magistrates Court (Solicitors' Costs) Rules”.

Rule 3—

Omit “*Court of Petty Sessions Ordinance 1930*”, substitute “*Magistrates Court Ordinance 1930*”.

Inspection of Machinery Regulations

Sub-regulation 18 (1)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Leases Regulations

Regulation 23—

Omit “any Police or Stipendiary Magistrate or two or more Justices of the Peace sitting as a Court of Summary Jurisdiction, and having jurisdiction with respect to the trial of offences committed within the Territory,”, substitute “a Magistrate”.

Maintenance Regulations

First Schedule, Form 1—

- (a) Omit “Court of Petty Sessions”, substitute “Magistrates Court”.
- (b) Omit “*Court of Petty Sessions*”, substitute “*Magistrates Court*”.

First Schedule, Form 2—

Omit “*Court of Petty Sessions*”, substitute “*Magistrates Court*”.

First Schedule, Form 3—

- (a) Omit “COURT OF PETTY SESSIONS”, substitute “MAGISTRATES COURT”.
- (b) Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Mining Regulations**Regulation 29—**

Omit “Court of Petty Sessions, established under the *Court of Petty Sessions Ordinance (No. 2) 1930*”, substitute “Magistrates Court”.

Motor Omnibus Services Regulations**Regulation 3, definition of “Court”—**

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Pounds Regulations**Sub-regulation 21 (1)—**

Omit “a Court of Petty Sessions”, substitute “the Magistrates Court”.

The Schedule, Form 3—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Workmen’s Compensation Regulations**Regulation 12, Schedule 1, Forms 1 and 2—**

Omit “police or special” (wherever occurring).

Workmen’s Compensation Rules**After the definition of “committee” in sub-rule 5 (1)—**

Insert the following definition:

“ ‘Court’ means the Magistrates Court;”.

Sub-rule 5 (1), definition of “the Court”—

Omit the definition.

Rule 11—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-rule 69 (6)—

Omit, substitute the following sub-rule:

“(6) Subject to this Rule, the provisions of the *Magistrates Court Ordinance 1930* with respect to warrants of execution shall apply to any execution in pursuance of these Rules.”.

Rule 70—

Omit all the words from and including “Where proceedings” to and including “are taken”, substitute “Where proceedings by way of execution against the person under the *Magistrates Court Ordinance 1930* are taken”.

Rule 71—

Omit all the words from and including “the provisions” to and including “in force”, substitute “The provisions of the *Magistrates Court Ordinance 1930* for the time being in force”.

Sub-rule 74 (2)—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Rule 81—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

Sub-rule 82 (5)—

Omit all the words from and including “section 41” to and including “shall apply”, substitute “section 41 of the *Magistrates Court Ordinance 1930* shall apply”.

Rule 85—

Omit all the words from and including “matter or thing” (second occurring) to and including “Rules thereunder”, substitute “matter or thing under the *Magistrates Court Ordinance 1930* and the Rules thereunder”.

First Schedule, Forms 8, 9, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68—

Omit “Court of Petty Sessions” (wherever occurring), substitute “Magistrates Court”.

Second Schedule, Item 1, sub-item 14, column 1—

Omit “Court of Petty Sessions”, substitute “Magistrates Court”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 19 December 1985.
2. No. 21, 1930 as amended to date. For previous amendments *see* Note 2 to No. 17, 1985 and *see also* No. 17, 18 and 41, 1985.