

# AUSTRALIAN CAPITAL TERRITORY

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## Magistrates Court (Amendment) Ordinance 1986

### No. 33 of 1986

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 30 July 1986.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

LIONEL BOWEN  
Attorney-General

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An Ordinance to amend the *Magistrates Court Ordinance 1930*

#### Short title

1. This Ordinance may be cited as the *Magistrates Court (Amendment) Ordinance 1986*.<sup>1</sup>

#### Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Magistrates Court Ordinance 1930*.<sup>2</sup>

#### Appeals to which Division 2 applies

3. Section 208 of the Principal Ordinance is amended—

- (a) by omitting from paragraph (1) (g) "and";
- (b) by inserting after paragraph (1) (g) the following paragraph:

“(ga) an appeal, by the informant or defendant, from a decision or order of the Court or of a Magistrate that the defendant be admitted to bail, or be discharged from custody upon recognizance, with or without sureties; and”;

(c) by adding at the end the following sub-section:

“(3) Nothing in sub-section (1) shall be taken to affect any power that the Supreme Court has, apart from this Ordinance, to grant bail or to vary the conditions of bail.”.

4. After section 214 of the Principal Ordinance the following section is inserted:

#### **Appeals in relation to grant of bail**

“214A. An appeal referred to in paragraph 208 (1) (ga) shall be by way of rehearing de novo.”.

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#### **NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 7 August 1986.
2. No. 21, 1930 as amended by No. 21, 1932; No. 17, 1934; No. 13, 1936; Nos. 5 and 28, 1937; Nos. 25 and 35, 1938; Nos. 20 and 22, 1940; No. 13, 1949; Nos. 7 and 12, 1951; No. 14, 1953; No. 12, 1958; No. 2, 1961; No. 2, 1966; No. 1, 1967; No. 25, 1968; No. 12, 1969; No. 15, 1970; No. 37, 1972; No. 48, 1973; Nos. 14 and 47, 1974; No. 42, 1976 Nos. 4, 34, 56 and 61, 1977; No. 46, 1978; Nos. 33 and 41, 1979; Nos. 4 and 10, 1980; Nos. 2 and 3, 1982; Nos. 9, 10, 16, 61 and 62, 1984; Nos. 17, 18, 41, 66 and 67, 1985.