

AUSTRALIAN CAPITAL TERRITORY

Magistrates Court (Amendment) Ordinance 1988

No. 45 of 1988

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 25 July 1988.

N.M. STEPHEN
Governor-General

By His Excellency's Command,

MICHAEL TATE
Minister of State for Justice
for and on behalf of the
Attorney-General

An Ordinance to amend the *Magistrates Court Ordinance 1930*

Short title

1. This Ordinance may be cited as the *Magistrates Court (Amendment) Ordinance 1988*.¹

(Ord. 47/88)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Principal Ordinance

2. In this Ordinance, “Principal Ordinance” means the *Magistrates Court Ordinance 1930*.²

Applications for transcripts

3. Section 255C of the Principal Ordinance is amended—

(a) by omitting from subsection (3) “such fees, if any, as are prescribed” and substituting “an amount, calculated in accordance with the Rules”;

(b) by omitting subsection (4) and substituting the following subsection:

“(4) Where—

(a) a person applies for a transcript that has not been prepared; and

(b) an amount is payable under subsection (3) for the transcript;

the Clerk may, before the transcript is prepared, require the applicant to deposit with the Clerk an amount which, in the Clerk’s opinion, will not exceed the amount payable.”; and

(c) by adding at the end the following subsection:

“(8) If an amount paid by a person under subsection (4) exceeds the amount payable under subsection (3), there is payable to the person by the Commonwealth an amount equal to the amount of the excess.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 27 July 1988.
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; Nos. 33, 53, 57, 71, 74 and 83, 1986; No. 56, 1987.