



Australian Capital Territory

Justices of the Peace Act 1989

A1989-44

Republication No 1B

Effective: 8 March 2001 – 11 September 2001

Republication date: 24 September 2013

Last amendment made by A2001-9

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Justices of the Peace Act 1989* effective from 8 March 2001 to 11 September 2001.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation (Republication) Act 1996*, part 3, division 2 authorised the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation (Republication) Act 1996*, s 14 and s 16). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.



AUSTRALIAN CAPITAL TERRITORY

JUSTICES OF THE PEACE ACT 1989

This consolidation has been prepared by the ACT Parliamentary Counsel's Office

As at 8 March 2001

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SCHEDULE OATH AND AFFIRMATION OF OFFICE

An Act to provide for the appointment of justices of the peace consequentially upon the repeal of the *Seat of Government (Administration) Ordinance 1930*

Short title

1. This Act may be cited as the *Justices of the Peace Act 1989*.¹

Commencement

- 2.¹ (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

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(2) The remaining provisions commence on the date of commencement of section 22 of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth.

Appointments

3. (1) The Minister may, by instrument, appoint such justices of the peace as he or she thinks fit.

(2) Before commencing to perform the duties of his or her office, a justice of the peace appointed under subsection (1) shall take an oath of office, or make an affirmation of office, before a Judge of the Supreme Court, in accordance with the relevant form in the Schedule.

3A Resignation

A person may resign as a justice of the peace by signed notice of resignation given to the Minister.

Register

4. (1) The Registrar of the Supreme Court shall keep a register to be known as “The Register of Justices of the Peace of the Australian Capital Territory”.

(2) Upon the appointment of a justice of the peace, the Registrar shall enter his or her name in the register.

(3) The Registrar shall strike off the register the name of a person whose appointment as a justice of the peace has ceased.

4A Use and disclosure of information about justices of the peace

(1) This section applies to the personal information of a justice of the peace.

(2) The Minister may authorise—

- (a) the use of the information to give justices of the peace in the ACT information about the A.C.T. Justices of the Peace Association Incorporated (the *association*); and
- (b) the disclosure of the information to the association to help it in circulating information about services that may be given by justices of the peace in the ACT.

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(3) In this section:

personal information, of a justice of the peace, means the justice's name and contact details.

Appointments—saving

5. A person who was, immediately before the commencement of section 3, appointed, or to be deemed to have been appointed, as a justice of the peace under the *Seat of Government (Administration) Ordinance 1930* shall be deemed to have been appointed under section 3 of this Act upon that commencement.

Register—saving

6. The Register of Justices of the Peace of the Australian Capital Territory kept under section 17 of the *Seat of Government (Administration) Ordinance 1930* immediately before the date of commencement of section 4 of this Act shall be deemed to be a part of the register kept under section 4 of this Act.

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SCHEDULE

Subsection 3 (2)

OATH AND AFFIRMATION OF OFFICE

OATH

I, A.B., do swear that I will well and truly serve in the office of justice of the peace of the Australian Capital Territory

SO HELP ME GOD!

AFFIRMATION

I, A.B., do solemnly and sincerely affirm and declare that I will well and truly serve in the office of justice of the peace of the Australian Capital Territory.

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NOTE

1. The *Justices of the Peace Act 1989* as shown in this reprint comprises Act No. 44, 1989 amended as indicated in the tables below.

Citation of Laws—The *Self-Government (Citation of Laws) Act 1989* (No. 21, 1989) altered the citation of most Ordinances so that after Self-Government day they are to be cited as Acts. That Act also affects references in ACT laws to Commonwealth Acts.

Table of Acts

Act	Number and year	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
<i>Justices of the Peace Act 1989</i>	1989 No 44	10 May 1989	ss 1 and 2: 10 May 1989 remainder: 11 May 1989 (see s 2 (2) and Gaz 1989 No S164)	
<i>Law Reform (Miscellaneous Provisions) Act 1999</i>	1999 No 66	10 Nov 1999	10 Nov 1999	—
<i>Justice and Community Safety Amendment Act 2001</i>	2001 No 9	8 Mar 2001	8 Mar 2001	—

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision	How affected
s 3A.....	ad. 1999 No 66 s 6 sch 3
s 4A.....	ins 2001 No 9 amdt 1.18