

1995
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Magistrates Court (Amendment) Bill 1995

A BILL

FOR

An Act to amend the *Magistrates Court Act 1930*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

- 5 1. This Act may be cited as the *Magistrates Court (Amendment) Act 1995*.

Commencement

- 10 2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.
- (2) The remaining provisions commence on a day fixed by the Minister by notice in the *Gazette*.
- (3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period

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Principal Act

3. In this Act, "Principal Act" means the *Magistrates Court Act 1930*.¹

Stay of execution pending appeal in certain cases

5 4. Section 216 of the Principal Act is amended by adding at the end the following subsection:

"(2) If the appellant in custody in respect of whom the enforcement or execution of a conviction is stayed—

(a) is not granted bail under the *Bail Act 1992*, or

(b) is not detained for any other cause,

10 the court or a magistrate may, by warrant, commit the person to a remand centre."

Commitment to remand centre

5. Section 255A of the Principal Act is amended—

15 (a) by omitting from paragraph (1) (a) "to gaol under section 202" and substituting "subsection 547 (2) of the *Crimes Act 1900*", and

(b) by omitting from paragraph (1) (b) "(*Australian Capital Territory*)".

NOTE**Principal Act**

1. Reprinted as at 10 April 1995