

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

JUSTICES OF THE PEACE ORDINANCE 1989

No 44, 1989

The Justices of the Peace Ordinance 1989 (the Ordinance) provides for the appointment and registration of justices of the peace of the ACT.

At present, the Seat of Government (Administration) Ordinance 1930 provides for the appointment of justices of the peace by the Commonwealth Minister administering the Ordinance. This Ordinance is to be repealed by the Seat of Government (Administration) (Repeal) Ordinance 1989 from self-government day.

The Ordinance re-enacts the provisions relating to the appointment of justices of the peace presently contained in the Seat of Government (Administration) Ordinance 1930.

Details of the Ordinance are attached.

ISSUED BY AUTHORITY OF THE
MINISTER OF STATE FOR THE ARTS
AND TERRITORIES

ATTACHMENT

Section 1 cites the short title of the Ordinance.

Subsection 2(1) provides that sections 1 and 2 commence on the day on which the proposed Ordinance is notified in the Gazette

Subsection 2(2) provides that the remaining provisions commence on self-government day.

Section 3 provides that the Minister administering the Ordinance may appoint such justices of the peace as he or she thinks fit. Before commencing their duties as justices of the peace, each person so appointed is required to take an oath or make an affirmation of office.

Section 4 provides that the Registrar of the Supreme Court of the ACT keep and maintain a register of the justices of the peace of the ACT.

Section 5 provides that persons appointed as justices of the peace under the Seat of Government (Administration) Ordinance 1930 shall be deemed to have been appointed under section 3 of this Ordinance upon self-government day.

Section 6 provides that the register of the justices of the peace of the ACT kept under the Seat of Government (Administration) Ordinance 1930 shall be deemed to form part of the register kept under this Ordinance.

The Schedule sets out the Oath or Affirmation of office to be taken by a justice of the peace.