

AUSTRALIAN CAPITAL TERRITORY

EXPLANATORY STATEMENT

MAGISTRATES COURT (CIVIL JURISDICTION) ACT 1982

VARIATION OF NOTICE OF APPROVAL OF FORM

NO. 23 OF 1996

The *Magistrates Court (Civil Jurisdiction) (Amendment) Act 1995* amended section 303 of the *Magistrates Court (Civil Jurisdiction) Act 1982* by inserting a new subsection 303(2) whose object is to make it clear that the bailiff of the Magistrates Court has, in relation to bringing a person before the Registrar of the Magistrates Court in order to be examined by the Registrar, the power to enter and search any premises where the bailiff suspects the person to be, using such force as is necessary and reasonable.

Form 78 is a Warrant of Apprehension for a person to be brought before the Registrar. The examination would generally relate to the property and financial circumstances of the person or a corporation. The existing Form 78 was notified in *Special Gazette* No. S76 on 5 April 1995. The new Form 78 embodies the language of the new subsection 303(2).

There are no financial implications.

Issued by authority of
Mr Gary Humphries MLA
Attorney-General