

MAGISTRATES ACT 1987

No. 45 of 1987

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SCHEDULE 1

CONSEQUENTIAL AMENDMENTS



MAGISTRATES ACT 1987

No. 45 of 1987

AN ACT to make fresh provision with respect to the appointment and tenure of office of magistrates, and to provide for the appointment of a Chief Magistrate, a Deputy Chief Magistrate, and Administrator of Magistrates Courts, and for other purposes.

[Royal Assent 18 August 1987]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Magistrates Act 1987*. Short title.

2—(1) This section and section 1 shall commence on the day on which this Act receives the Royal assent. Commencement.

(2) Except as provided in subsection (1), this Act shall commence on a day to be fixed by proclamation.

3—In this Act, unless the contrary intention appears— Interpretation.

“Administrator of Magistrates Courts” or “Administrator” means the person who is appointed as Administrator of Magistrates Courts pursuant to section 16;

“Chief Magistrate” means the person who is appointed as Chief Magistrate pursuant to section 5;

“commissioner” has the meaning assigned to that expression by section 7 of the *Local Courts Act 1896*;

“coroner” has the meaning assigned to that expression by the *Coroners Act 1957*;

“Deputy Chief Magistrate” means the person who is appointed as Deputy Chief Magistrate pursuant to section 6 (1), and includes an acting Deputy Chief Magistrate temporarily appointed pursuant to section 6 (7);

“function” includes duty;

“magistrate” means a person who is appointed as a magistrate pursuant to section 4, and includes a person who, by virtue of section 19 (1), is deemed to have been so appointed;

“magistrates courts” means—

(a) courts of summary jurisdiction within the meaning of the *Justices Act 1959*;

(b) local courts within the meaning of the *Local Courts Act 1896*;

(c) any proceedings before the Special Commissioner or a part-time Special Commissioner under the *Court of Requests (Small Claims Division) Act 1985*;

(d) children’s courts within the meaning of the *Child Welfare Act 1960*; and

(e) any proceedings before a coroner under the *Coroners Act 1957*;

“part-time Special Commissioner” has the meaning assigned to that expression by the *Court of Requests (Small Claims Division) Act 1985*;

“Special Commissioner” means the Special Commissioner appointed and holding office under the *Court of Requests (Small Claims Division) Act 1985*;

“the regulations” means regulations made and in force under this Act.

(2) A magistrate is not subject to the provisions of the *Tasmanian State Service Act 1984*, but if a person who is an employee within the meaning of that Act is appointed as a magistrate he retains all his existing and accruing rights as if his services as a magistrate were a continuation of his service as an employee, within the meaning of that Act.

(3) Where a person ceases to hold the office of magistrate and becomes an employee within the meaning of the *Tasmanian State Service Act 1984*, his service in that office shall be regarded as service as an employee within the meaning of that Act for the purposes of determining his rights as an employee within the meaning of that Act.

(4) The Governor may, for any temporary purpose, appoint such number of persons as he considers necessary as temporary magistrates, and each person so appointed shall hold office for such period, on such terms, and subject to such conditions, as may be specified in the instrument of his appointment.

(5) The provisions of sections 9, 10 (other than subsection (4) of that section), 11, and 12 do not apply to a person who is appointed as a temporary magistrate under subsection (4).

5—(1) Subject to section 19 (4), the Governor may appoint Chief Magistrate. a magistrate to be the Chief Magistrate.

(2) The Chief Magistrate may resign from the office of Chief Magistrate but still retain the office of magistrate.

6—(1) Subject to section 19 (5), the Governor may appoint Deputy Chief Magistrate. a Magistrate to be the Deputy Chief Magistrate.

(2) The Deputy Chief Magistrate shall, in addition to exercising his functions as a magistrate, exercise such other functions as the Chief Magistrate may direct.

(3) The Deputy Chief Magistrate shall act in the office of the Chief Magistrate during—

(a) an absence from duty of the Chief Magistrate; or

(b) a vacancy in the office of Chief Magistrate.

(4) The Deputy Chief Magistrate shall, while he is acting in the office of the Chief Magistrate, have and may perform all the functions and exercise all the powers of that office.

(5) Any act, matter, or thing done by the Deputy Chief Magistrate while acting in the office of the Chief Magistrate shall be deemed to have been done by the Chief Magistrate.

(6) The Deputy Chief Magistrate may resign from the office of Deputy Chief Magistrate but still retain the office of magistrate.

(7) The Attorney-General may, during an absence from duty by, or vacancy in the office of, Deputy Chief Magistrate, appoint a magistrate to be acting Deputy Chief Magistrate.

Oaths to be taken.

7—A magistrate shall, before exercising any of the functions or powers of his office, take and subscribe the oath of allegiance and the judicial oath prescribed by the *Promissory Oaths Act 1869*.

Qualification for appointment.

8—(1) A person is not eligible for appointment as a magistrate unless—

(a) he is a practitioner (within the meaning of the *Legal Practitioners Act 1959*) of not less than 5 years' standing; or

(b) having been admitted to practise in the State as a practitioner under section 11 of that Act or as a barrister under section 15 of that Act, he has practised as a practitioner or as a barrister, or both, for a period of not less than 5 years in the aggregate.

(2) A person is not eligible for appointment as a magistrate if he has attained the age of 65 years.

Tenure of office.

9—(1) A magistrate shall not be suspended or removed from office except by the Governor on an address from both Houses of Parliament, praying for such suspension or removal on the ground of proved misbehaviour or incapacity.

(2) Except as provided by subsection (1), the Governor shall not suspend a magistrate or remove a magistrate from office.

(3) A magistrate shall be deemed to have vacated the office of magistrate if—

(a) he becomes bankrupt, applies to take the benefit of any laws for the relief of bankrupt or insolvent debtors, compounds with his creditors, or makes any assignment of his remuneration or estate for their benefit; or

(b) he becomes liable to be detained under the *Mental Health Act 1963* in a hospital, being a hospital within the meaning of section 3 (1) of that Act.

(4) Notwithstanding anything in subsections (1), (2), and (3), but subject to subsection (5), a magistrate shall retire from office on attaining the age for retirement.

(5) In this section, "age for retirement" means—

(a) in the case of a person who is deemed to have been appointed by virtue of section 19 and who was appointed before 1st January 1971, the age of 70 years; or

(b) in any other case, the age of 65 years.

10—(1) A magistrate is entitled to be paid—

(a) remuneration in accordance with the *Statutory Salaries Act 1979*; and

(b) such travelling and other allowances as the Governor may from time to time determine or, if there is for the time being no such determination, such travelling and other allowances as are applicable to a person who is a Head of an Agency, within the meaning of the *Tasmanian State Service Act 1984*.

Terms and conditions of service of magistrates.

(2) A magistrate is an employee for the purposes of the *State Employees (Long-Service Leave) Act 1950*.

(3) A magistrate is an employee for the purposes of the *Retirement Benefits Act 1982*.

(4) A magistrate is a worker for the purposes of the *Workers' Compensation Act 1927*.

(5) A magistrate is entitled to such leave as may be prescribed for an employee, within the meaning of the *Tasmanian State Service Act 1984*.

(6) For the purposes of subsection (5), the Chief Magistrate shall perform the same functions and exercise the same powers as a Head of Agency within the meaning of the *Tasmanian State Service Act 1984* in respect of the magistrates.

11—A magistrate shall be stationed in such city or town as may be determined by the Attorney-General.

Where magistrates are to be stationed.

12—A magistrate shall devote himself wholly to the performance of the functions of his office as a magistrate and of any office lawfully held by him in conjunction with or by virtue of that office, and shall not engage in, or continue the practice of, the profession of a practitioner or barrister of the Supreme Court.

Magistrates not to engage in private practice.

Jurisdiction and powers of magistrates.

13—(1) A magistrate has jurisdiction as a magistrate throughout the State.

(2) A magistrate, by virtue of his office and without further commission or authority—

(a) is a justice;

(b) is a commissioner;

(c) is a coroner; and

(d) is a part-time Special Commissioner for the purposes referred to in section 8B of the *Court of Requests (Small Claims Division) Act 1985*.

(3) A magistrate may exercise and perform, throughout the State, all the jurisdiction, powers, and functions conferred and imposed on magistrates by or under any law of the State.

(4) The fact that a magistrate presides over or sits in a magistrates court, or exercises a jurisdiction or power, or performs a function, is conclusive evidence of his authority to do so.

Jurisdiction and powers of Chief Magistrate.

14—(1) The Chief Magistrate has jurisdiction as Chief Magistrate throughout the State.

(2) The Chief Magistrate, by virtue of his office and without further commission or authority—

(a) is the Chief Commissioner of the Courts of Requests;

(b) is the Chief Coroner for the State; and

(c) may, in his capacities as Chief Magistrate, Chief Commissioner and Chief Coroner, exercise and perform, throughout the State, all the jurisdiction, powers, and functions conferred or imposed on the Chief Magistrate, Chief Commissioner, and Chief Coroner by or under any law of the State.

Arrangement of business of courts, and administrative matters.

15—(1) In consultation with the Administrator, the Chief Magistrate shall, before 1st December in each year, determine the places where magistrates courts shall be held in the State, and the dates and times when those courts shall be held for the period of 12 months commencing on 1st January next following and may vary the determination at any time during the period of 12 months.

(2) Subject to subsection (3), the Administrator shall—

(a) cause a notice to be published in the *Gazette* in the month of December in each year specifying the places where magistrates courts shall be held in the State for the period of 12 months commencing on 1st January next following, as determined by the Chief Magistrate; and

(b) from time to time cause a notice to be published in the *Gazette* varying the notice referred to in paragraph (a) in accordance with a variation of the determination made by the Chief Magistrate.

(3) If the Chief Magistrate determines that it is necessary to cancel the holding of a magistrates court specified in a notice referred to in subsection (2) (a) or arrange the holding of a magistrates court in a place not specified in the notice, and it is not practical to cause a notice to be published in the *Gazette* pursuant to subsection (2) (b) within a reasonable time before the court is cancelled or held, as the case may be, the failure to cause such a notice to be published in the *Gazette* does not affect the validity of the cancellation of the court or the holding of the court, as the case may be.

(4) In consultation with the Administrator, the Chief Magistrate shall determine what jurisdictions shall be exercised by each magistrates court and the dates and times when that jurisdiction shall be exercised by the court at that place.

(5) The Chief Magistrate shall direct in which magistrates courts and at what times each magistrate, justice, commissioner, coroner, part-time Special Commissioner, or the Special Commissioner shall sit.

(6) The Chief Magistrate is responsible for ensuring the orderly and expeditious discharge of the business of the magistrates courts and shall, in consultation with the Administrator, determine the administrative procedures to be implemented to ensure the disposal of all matters allocated to the courts with the least possible delay.

(7) The Chief Magistrate is responsible for the administrative co-ordination, and the allocation of work, between the magistrates.

16—(1) Subject to section 19 (6) and subject to and in accordance with the *Tasmanian State Service Act 1984*, there shall be appointed an Administrator of Magistrates Courts.

(2) In addition to any functions or powers conferred on him under any other Act, the Administrator shall, in consultation with the Chief Magistrate, be responsible for the allocation of all matters for first appearance under any Act or law in the magistrates courts throughout the State (whether the matter represents the exercise by a magistrate of an original or an appellate jurisdiction).

(3) The Administrator shall be responsible to the Secretary of the Law Department for the control and direction of the staff of the magistrates courts appointed subject to and in accordance with the provisions of the *Tasmanian State Service Act* 1984 in the performance of their duties and the exercise of their powers.

(4) Subsection (3) does not apply to police officers acting as coroners' clerks.

Delegation.

17—(1) The Chief Magistrate may, by instrument in writing, delegate to a magistrate the performance or exercise of such of the functions and powers of the Chief Magistrate (other than this power of delegation) under this Act or any other Act as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.

(2) The Administrator may, by instrument in writing, delegate to a person who is an employee within the meaning of the *Tasmanian State Service Act* 1984, and who is employed in the Law Department, the performance or exercise of such of the functions and powers of the Administrator (other than this power of delegation) as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.

(3) A function or power, the performance or exercise of which has been delegated under this section, may, while the delegation remains unrevoked, be performed or exercised from time to time in accordance with the terms of the delegation.

(4) A delegation under this section may be made subject to such conditions or limitations as to the performance or exercise of any of the functions or powers delegated, or as to time or circumstances, as are specified in the instrument.

(5) Notwithstanding any delegation under this section, the Chief Magistrate or the Administrator, as the case may be, may continue to perform or exercise all or any of the functions or powers delegated.

(6) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section shall have the same force and effect as if the act or thing had been done by or to the Chief Magistrate or the Administrator, as the case may be, and shall be deemed to have been done by or to the Chief Magistrate or the Administrator, as the case may be.

18—The Governor may make regulations for the purposes Regulations. of this Act.

19—(1) A person holding office as a magistrate at the commencement of this Act is deemed to have been appointed as a magistrate under this Act. Transitional provisions.

(2) Notwithstanding section 11, a person who is holding office as a magistrate at the commencement of this Act shall not, by virtue of a determination made under that subsection on the commencement of this Act, be stationed in a city or town other than the city or town in which he is stationed at that commencement except with that person's consent.

(3) In the case of a person who is holding office as a magistrate at the commencement of this Act, that person's service as a magistrate before that commencement is deemed to be service as a magistrate under this Act for the purpose of calculating his entitlements under section 10.

(4) The person who is senior magistrate in the Southern Magisterial District immediately before the commencement of this Act is deemed to have been appointed as the Chief Magistrate under this Act.

(5) The person who is senior magistrate in the Northern Magisterial District immediately before the commencement of this Act is deemed to have been appointed as the Deputy Chief Magistrate under this Act.

(6) The person who is holding office as Clerk of Petty Sessions and Registrar of the Court of Requests at Hobart immediately before the commencement of this Act is deemed to have been appointed as Administrator of the Magistrates Courts under this Act.

(7) On and after the commencement of this Act, a reference to a police magistrate or to a stipendiary magistrate in an Act, or in a regulation, rule, by-law, proclamation, order-in-council, order, summons, warrant, notice, or other instrument or document made, issued, given, or filed under or for the purposes of an Act or for the purposes of any legal proceedings shall be read as a reference to a person who is appointed as a magistrate, or is deemed to have been so appointed, under this Act.

(8) In this section, “commencement of this Act” means the day fixed by proclamation under section 2 (2).

Repeals.

20—The *Magistrates Act* 1969 and the *Stipendiary Magistrates Act* 1972 are repealed.

Consequential amendments.

21—Each Act specified in column 1 of Schedule 1 is amended in the manner specified in column 2 of that Schedule.

SCHEDULE 1

Section 21

CONSEQUENTIAL AMENDMENTS

COLUMN 1	COLUMN 2
Short Title of Act affected	Amendment
<i>Child Welfare Act</i> 1960.	Section 13 (2)— Omit the subsection.
<i>Coroners Act</i> 1957.	Section 3— Insert the following definition after the definition of “body”— “Chief Coroner” means the person holding office as the Chief Coroner by virtue of section 14 (2) of the <i>Magistrates Act</i> 1987;
Oaths to be taken.	New section 4A— Insert the following section after section 4:— 4A—(1) A coroner shall, before acting, take and subscribe before a justice the oath of allegiance and the judicial oath prescribed by the <i>Promissory Oaths Act</i> 1869. (2) A justice before whom an oath is subscribed under this section shall forthwith forward it to the Registrar of the Supreme Court to be recorded in the Court.
Chief Coroner.	New sections 5A and 5B— Insert the following sections after section 5:— 5A—The Chief Coroner is responsible for the administrative co-ordination, and the allocation of work, between the coroners.
Delegation.	5B—(1) The Chief Coroner may, by instrument in writing, delegate to a coroner the performance or exercise of such of the functions and powers of the Chief Coroner (other than this power of delegation) under this Act or any other Act as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation. (2) A function or power, the performance or exercise of which has been delegated under this section, may, while the delegation remains unrevoked, be performed or exercised from time to time in accordance with the terms of the delegation. (3) A delegation under this section may be made subject to such conditions or limitations as to the performance or exercise of any of the functions or powers delegated, or as to time or circumstances, as are specified in the instrument.

COLUMN 1
Short Title of Act affected

COLUMN 2
Amendment

(4) Notwithstanding any delegation under this section, the Chief Coroner may continue to perform or exercise all or any of the functions or powers delegated.

(5) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section shall have the same force and effect as if the act or thing had been done by or to the Chief Coroner and shall be deemed to have been done by or to the Chief Coroner, as the case may be.

New Section 10A—

Insert the following section after section 10—

Adjournment of inquest and its hearing by coroner designated by the Chief Coroner.

10A—(1) A coroner may adjourn an inquest concerning the death of a person, whether or not the body has been viewed or examined, and whether or not a post-mortem examination of the body has been performed.

(2) A coroner who adjourns an inquest pursuant to subsection (1) shall, as soon as practicable after the adjournment, notify the Chief Coroner in writing of the adjournment and the reasons for it.

(3) On receiving a notification referred to in subsection (2), the Chief Coroner shall allocate the holding of the relevant adjourned inquest to a coroner designated by him.

(4) A coroner to whom an adjourned inquest is allocated pursuant to subsection (3) shall continue the adjourned inquest.

Court of Requests (Small Claims Division) Act 1985.

Section 3—

Insert the following definition before the definition of “claimant”:

“Chief Commissioner” means the person holding office as the Chief Commissioner of the Courts of Requests by virtue of section 14 (2) of the *Magistrates Act 1987*;

New section 8B—

Insert the following section after section 8A:

Magistrate exercising powers of part-time Special Commissioner.

8B—(1) A magistrate may act as a part-time Special Commissioner for the purpose of exercising the powers and performing the functions of the Special Commissioner—

COLUMN 1 Short Title of Act affected	COLUMN 2 Amendment
	<p>(a) where, by reason of any direct or indirect interest that the Special Commissioner has or may have in respect of any small claims referred to him pursuant to section 13 (1) and any claims referred to him pursuant to section 15, he considers it appropriate or necessary to disqualify himself from hearing and determining those small claims and claims;</p> <p>(b) where the Chief Commissioner has determined that it is necessary for the purpose of preventing or lessening delay in hearing and determining those small claims and claims;</p> <p>(c) during a vacancy in the office of Special Commissioner; and</p> <p>(d) during any period when the Special Commissioner is absent from duty or from Tasmania or is, for any other reason, unable to perform the functions of his office.</p> <p>(2) When a magistrate is acting as a part-time Special Commissioner he has, and may exercise, all the powers, and he may perform all the functions, of the Special Commissioner under this Act or any other law.</p> <p>(3) All things done or omitted to be done by a magistrate acting as a part-time Special Commissioner under this section while the magistrate is exercising the powers, and performing the functions, referred to in subsection (2) shall be as valid, and have the same consequences, as if they had been done or omitted to be done by the Special Commissioner.</p>

New section 10—

Repeal section 10 and insert the following section:—

Chief
Commissioner.

10—The Chief Commissioner is responsible for the administrative co-ordination, and the allocation of work, between the Special Commissioner and the part-time Special Commissioners.

COLUMN 1 Short Title of Act affected	COLUMN 2 Amendment
<i>Justices Act 1959.</i>	<p>Section 3 (1)—</p> <p>(a) Insert the following definitions after the definition of “charge of an indictable offence”—</p> <p>“Chief Clerk of Petty Sessions” means the person holding office as Chief Clerk of Petty Sessions by virtue of section 16;</p> <p>“Chief Magistrate” means the Chief Magistrate appointed under section 5 of the <i>Magistrates Act 1987</i>;</p> <p>(b) Omit “<i>Magistrates Act 1969</i>” from the definition of “magistrate” and substitute “<i>Magistrates Act 1987</i>”;</p>
Chief Clerk of Petty Sessions.	<p>New section 16—</p> <p>Insert the following section before section 16A:—</p> <p>16—(1) The Administrator of Magistrates courts appointed under the <i>Magistrates Act 1987</i> is, by virtue of that office and without further commission or authority, the Chief Clerk of Petty Sessions for the purposes of this Act.</p> <p>(2) In the performance of their functions and the exercise of their powers under this Act, all clerks and deputy clerks of petty sessions and any persons appointed to assist the clerks of petty sessions shall be subject to the directions of the Chief Clerk of Petty Sessions.</p> <p>(3) Subsection (2) does not apply to a magistrate discharging the duties of a clerk of petty sessions under section 19 (1).</p>
	<p>Section 16A (2)—</p> <p>Omit the subsection.</p>
	<p>Section 17 (1A)—</p> <p>Omit the subsection.</p>
	<p>Section 19A—</p> <p>Repeal the section.</p>
	<p>Section 113A (3)—</p> <p>Omit “senior magistrate of the district in which the order appealed against was made” and substitute “Chief Magistrate”.</p>

COLUMN 1 Short Title of Act affected	COLUMN 2 Amendment
	<p>Section 113A (4)— Omit “The senior magistrate of a district in which an order appealed against was made” and substitute “The Chief Magistrate”.</p> <p>Section 143 (1)— Omit the subsection and substitute the following subsection:— (1) Subject to the <i>Penalties Remission Act</i> 1934, subsections (3) and (3A), and except as otherwise provided by section 123 of the <i>Local Government (Highways) Act</i> 1982 or any provision of any other Act which makes special provision with respect to the payment of fines and penalties, all fines and penalties imposed upon summary conviction before justices, and any incidental fees shall be paid into the Consolidated Revenue.</p> <p>Section 143 (2)— Omit the subsection.</p> <p>Section 143 (4) and (5)— Omit the subsections and substitute the following subsections:— (4) Fees incidental to complaints for breach of duty shall be paid into the Consolidated Revenue. (5) Fees incidental to other proceedings before justices shall be paid into the Consolidated Revenue.</p>
<i>Local Courts Act</i> 1896.	<p>Section 7— (a) Omit the definition of “chairman”; (b) Insert the following definition after the definition of “bailiff”:— “Chief Commissioner” means the person holding office as the Chief Commissioner of the Courts of Requests by virtue of section 14 (2) of the <i>Magistrates Act</i> 1987; (c) Omit “, and includes a chairman” from the definition of “commissioner”; (d) Insert the following definition after the definition of “practitioner”:— “Principal Registrar” means the person holding office as Principal Registrar of the Courts of Requests by virtue of section 20A;</p>

COLUMN 1 Short Title of Act affected	COLUMN 2 Amendment
	<p>Section 8— Repeal the section.</p>
<p>Chief Commissioner.</p>	<p>New section 11A— Insert the following section after section 11—</p> <p>11A—The Chief Commissioner is responsible for the administrative co-ordination, and the allocation of work, between the commissioners.</p>
<p>Delegation.</p>	<p>New section 12 — Repeal section 12 and substitute the following section:—</p>
	<p>12—(1) The Chief Commissioner may, by instrument in writing, delegate to a commissioner the performance or exercise of such of the functions and powers of the Chief Commissioner (other than this power of delegation) under this Act or any other Act as are specified in the instrument, and may, by instrument in writing, revoke wholly or in part any such delegation.</p> <p>(2) A function or power, the performance or exercise of which has been delegated under this section, may, while the delegation remains unrevoked, be performed or exercised from time to time in accordance with the terms of the delegation.</p> <p>(3) A delegation under this section may be made subject to such conditions or limitations as to the performance or exercise of any of the functions or powers delegated, or as to time or circumstances, as are specified in the instrument.</p> <p>(4) Notwithstanding any delegation under this section, the Chief Commissioner may continue to perform or exercise all or any of the functions or powers delegated.</p> <p>(5) Any act or thing done by or to a delegate while acting in the exercise of a delegation under this section shall have the same force and effect as if the act or thing had been done by or to the Chief Commissioner and shall be deemed to have been done by or to the Chief Commissioner.</p>

COLUMN 1 Short Title of Act affected	COLUMN 2 Amendment
	<p>New section 20A—</p> <p>Insert the following section after section 20:—</p> <p>20A—(1) The Administrator of Magistrates Courts appointed under the <i>Magistrates Act</i> 1987 is, by virtue of that office and without further commission or authority, the Principal Registrar of the Courts of Requests for the purposes of this Act and the <i>Court of Requests (Small Claims Division) Act</i> 1985.</p> <p>(2) In the performance of their functions and the exercise of their powers under this Act, all registrars and deputy registrars, bailiffs, special bailiffs and assistant bailiffs, and persons appointed under sections 21 (5) and 22 (4) by commissioners to act as registrars or bailiffs, shall, except when carrying out duties pursuant to a direction given by a commissioner, be subject to the directions of the Principal Registrar.</p> <p>Section 21—</p> <p>Omit subsections (2) and (4).</p> <p>Section 28—</p> <p>Repeal the section.</p> <p>Section 143—</p> <p>Repeal the section and substitute the following section:—</p> <p>143—All fees received under this Act by any officer of the court, and all fines and penalties imposed by this Act, shall be paid into the Consolidated Revenue.</p>
<p>Principal Registrar of Courts of Requests.</p>	
<p><i>Local Government Act</i> 1962.</p>	<p>Section 180—</p> <p>Repeal the section.</p>
<p><i>Statutory Salaries Act</i> 1979.</p>	<p>Section 8—</p> <p>Amend the section as follows:—</p> <p>(a) by omitting from paragraph (a) “the senior magistrate in the Southern Magisterial District shall be 85 per cent” and substituting “the Chief Magistrate shall be 85 per cent”;</p>
<p>Appropriation of fees, fines, and penalties.</p>	

COLUMN 1 Short Title of Act affected	COLUMN 2 Amendment
	<p>(b) by omitting from paragraph (b) "a senior magistrate in a magisterial district other than the Southern Magisterial District shall be 82.5 per cent" and substituting "the Deputy Chief Magistrate shall be 82.5 per cent";</p> <p>(c) by omitting from paragraph (c) "a senior magistrate" and substituting "the Chief Magistrate and the Deputy Chief Magistrate".</p>
