

Magistrates' Court (Amendment) Bill

EXPLANATORY MEMORANDUM

Clause 1 states the purpose of this Act.

Clause 2 contains the commencement provision.

Clause 3 inserts a new clause in Schedule 8 of the **Magistrates' Court Act 1989** which provides that where proceedings the subject of Schedule 5 were instituted prior to the commencement of the Act, the time limits imposed by sub-clauses 15 (8) (a) and 16 (1) (a) of Schedule 5 are deemed to have commenced on the day on which this Act receives the Royal Assent. Any order made by the Court under clause 15 (9) or 16 (2) of Schedule 5 before the date on which this Act receives the Royal Assent is of no effect.

Clause 4 limits the requirement in clause 15 (2) of Schedule 5 to the **Magistrates' Court Act 1989** to committal proceedings which relate to offences for which proceedings were commenced on or after the commencement of that Act.

Clause 5 amends sections 64 (2), 65 (2) and 78 (2) to provide that a person arrested pursuant to a warrant to arrest or a search warrant must be taken before a bail justice or the Magistrates Court within a reasonable time.

