

NORTHERN TERRITORY OF AUSTRALIA
MAGISTRATES AMENDMENT ACT (No. 2) 1998

No. 45 of 1998

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NORTHERN TERRITORY OF AUSTRALIA

No. 45 of 1998

AN ACT

to amend the *Magistrates Act*

[Assented to 27 May 1998]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Magistrates Amendment Act (No. 2) 1998*.

2. PRINCIPAL ACT

The *Magistrates Act* is in this Act referred to as the Principal Act.

3. APPOINTMENT OF COURTS

Section 13 of the Principal Act is amended —

- (a) by omitting from subsection (1) "(1) The Minister" and substituting "The Attorney-General"; and
- (b) by omitting subsections (2) and (3).

Magistrates Amendment

4. NEW SECTION

The Principal Act is amended by inserting after section 13 in Part II the following:

"13A. DIRECTIONS BY CHIEF MAGISTRATE

"(1) The Chief Magistrate —

- (a) must assign and apportion duties to Magistrates and Justices; and
- (b) subject to subsection (2), may give any directions in respect of the performance of those duties as are necessary, including a direction as to the places in the Territory where a Magistrate or Justice is to perform his or her duties.

"(2) The Chief Magistrate may not give a direction for the purpose of affecting the exercise by a Magistrate or Justice of his or her judicial discretion.

"(3) A Magistrate or Justice must comply with a direction given by the Chief Magistrate."

5. FURTHER AMENDMENTS

The Principal Act is amended as set out in the Schedule.

Magistrates Amendment

SCHEDULE

Section 5

Provision	Amendment	
	omit	substitute
Section 4(1) (b)	"Minister"	"Attorney-General"
Section 5(b)	"he"	"he or she"
	"Minister"	"Attorney-General"
Sections 6 and 7(1)	"this Part"	"section 4(3) "
Section 8	"this Part"	"section 4(3) "
	"his"	"his or her"
	"him"	"him or her"
	"Minister"	"Attorney-General"
Section 9(1) (b)	"his"	"his or her"
Section 9(1) and (1A)	"Minister"	"Attorney-General"
Section 9(2) (b)	"his"	"his or her"
Section 9(2)	"Minister"	"Attorney-General"
Section 9(3) (a)	"he"	"he or she"
Section 9(3) (b)	"he"	"he or she"
	"Minister"	"Attorney-General"
Section 9(7)	"him"	"him or her"
	"Minister"	"Attorney-General"

Magistrates Amendment

Section 9(8)	"his" (wherever occurring)	"his or her"
Section 9A(1) and (4)	"Minister" (wherever occurring)	"Attorney-General"
Section 9A(5)	"his"	"his or her"
	"him"	"him or her"
	"Minister"	"Attorney-General"
Section 10(a)	"he"	"he or she"
	"section 13(2) "	"section 13A(1) (b) "
Section 10(b) (i), (ii) and (iii)	"his"	"his or her"
Section 11(2)	"Minister"	"Attorney-General"
	"his"	"his or her"
	"him"	"him or her"
Section 11(3)	"his"	"his or her"
Section 12	"his" (first occurring)	"his or her"
	"he"	"he or she"
	"his" (last occurring)	"his or her"
Section 14(2)	"he"	"he or she"
Section 16	"his"	"his or her"
	"him"	"him or her"
	"Minister"	"Attorney-General"

Magistrates Amendment

Section 18(2)	"he"	"he or she"
Section 19(1) and (2)	"his"	"his or her"
Section 20(1)	"him"	"him or her"
	"he"	"he or she"
Section 20(3)	"his" (first occurring)	"his or her"
	"him"	"him or her"
	"his" (last occurring)	"his or her"
