

Serial 18  
Validation (Chief Magistrate) Bill 2001  
Dr Toyne

**A BILL  
for  
AN ACT**

to ensure that the administration of justice in the Territory is not adversely affected if the appointment of Chief Magistrate made on 27 February 1998 is not a valid appointment

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## NORTHERN TERRITORY OF AUSTRALIA

No. of 2001

### AN ACT

to ensure that the administration of justice in the Territory is not adversely affected if the appointment of Chief Magistrate made on 27 February 1998 is not a valid appointment

[Assented to 2001]

[Second reading 2001]

**The Legislative Assembly of the Northern Territory enacts as follows:**

**1. Short title**

This Act may be cited as the *Validation (Chief Magistrate) Act 2001*.

**2. Commencement**

The provisions of this Act come into operation on the date, or respective dates, fixed by the Administrator by notice in the *Gazette*.

**3. Appointment of Chief Magistrate**

In the event that the appointment of Chief Magistrate made on 27 February 1998 is invalid, it is declared that the appointment was, and always has been, a valid appointment of Chief Magistrate under section 5 of the *Magistrates Act*.

**4. Terms and conditions of appointment**

In the event that –

*Validation (Chief Magistrate) Act 2001*

- (a) the appointment of Chief Magistrate made on 27 February 1998 is invalid; or
- (b) the determination of remuneration and allowances and the terms and conditions of Chief Magistrate made on 27 February 1998 is invalid,

it is declared that the determination was, and continued to be during its term, a valid determination under section 6 of the *Magistrates Act*.

**5. Actions of Chief Magistrate**

(1) In the event that the appointment of Chief Magistrate made on 27 February 1998 is invalid, all actions taken in pursuance of the purported appointment are declared to be as valid as if taken by a person properly appointed to the office under section 5 of the *Magistrates Act*.

(2) In subsection (1) –

"actions" includes orders, sentences and decisions (judicial and administrative).