

1991
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

**Magistrates and Coroner's Courts
(Registrar) Bill 1991**

**A BILL
FOR**

**An Act to alter the names of the offices of Clerk of
the Magistrates Court and Clerk of the Coroner's
Court to Registrar of the Magistrates Court and
Registrar of the Coroner's Court and for related
purposes**

The Legislative Assembly for the Australian Capital Territory enacts
as follows:

PART I—PRELIMINARY

Short title

- 5 1. This Act may be cited as the *Magistrates and Coroner's Courts
(Registrar) Act 1991*.

81045 Job No.: 1991/1780 (T45/91)

Commencement

2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

5 (2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.

(3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

10 **PART II—CLERK OF THE MAGISTRATES COURT**

Alteration of names

3. (1) The name of the office of Clerk of the Magistrates Court is altered to Registrar of the Magistrates Court.

15 (2) The name of the office of Deputy Clerk of the Magistrates Court is altered to Deputy Registrar of the Magistrates Court.

Continuance in office

4. A person who held office immediately before the commencement of this Act as Clerk or Deputy Clerk of the Magistrates Court shall continue to hold office as Registrar or Deputy Registrar of the Magistrates Court.

20 **PART III—CLERK OF THE CORONER'S COURT**

Alteration of names

5. (1) The name of the office of Clerk of the Coroner's Court is altered to Registrar of the Coroner's Court.

25 (2) The name of the office of Deputy Clerk of the Coroner's Court is altered to Deputy Registrar of the Coroner's Court.

Continuance in office

6. A person who held office immediately before the commencement of this Act as Clerk or Deputy Clerk of the Coroner's Court shall continue to hold office as Registrar or Deputy Registrar of the Coroner's Court.

30 **PART IV—CONSEQUENTIAL AMENDMENTS**

Amendment of Acts

7. (1) The *Magistrates Court Act 1930* is amended—

(a) by omitting from subsection 5 (1) the definition of "Registrar"; and

(b) by omitting from Form 4 in The First Schedule "Registrar" and substituting "Registrar of the Supreme Court".

(2) The provisions of the Acts specified in Schedule 1 are amended—

5 (a) by omitting "clerk" and "Clerk" (wherever occurring) and substituting "Registrar"; and

(b) by omitting "*Clerk*", "*Clerk*", "Clerks" and "CLERK'S" (wherever occurring) and substituting "*Registrar*", "*Registrar*", "Registrars" and "REGISTRAR'S" (respectively).

Amendment of regulations and rules

10 8. The provisions of the regulations and rules specified in Schedule 2 are amended by omitting "clerk" and "Clerk" (wherever occurring) and substituting "Registrar".

Amendment of continued State laws

15 9. The provisions of the following laws are amended by omitting "Clerk" (wherever occurring) and substituting "Registrar":

(a) the Crimes Act, 1900 of the State of New South Wales in its application in the Territory;

(b) the Pawnbrokers Act 1902 of the State of New South Wales in its application in the Territory;

20 (c) the Second-hand Dealers and Collectors Act 1906 of the State of New South Wales in its application in the Territory.

SCHEDULE 1

Subsection 7 (2)

AMENDMENTS OF ACTS

Auctioneers Act 1959

Children's Services Act 1986

Coroners Act 1956

Credit Act 1985

Criminal Injuries Compensation Act 1983

Dividing Fences Act 1981

Domestic Violence Act 1986

SCHEDULE 1—continued

Drugs of Dependence Act 1989
Magistrates Court Act 1930
Magistrates Court (Civil Jurisdiction) Act 1982
Maintenance Act 1968
Mercantile Law Act 1962 (except paragraph 7 (d))
Motor Traffic Act 1936
Motor Traffic (Alcohol and Drugs) Act 1977
Parole Act 1976
Recovery of Lands Act 1929
Small Claims Act 1974
Taxation (Administration) Act 1987
Workmen's Compensation Act 1951

SCHEDULE 2

Section 8

AMENDMENTS OF REGULATIONS AND RULES

Bookmakers Regulations
Magistrates Court Rules (except rule 98)
Maintenance Regulations
Workmen's Compensation Regulations
Workmen's Compensation Rules

NOTE ABOUT HEADINGS

On the day on which the Acts and rules referred to below are amended by this Act, headings to sections of those Acts and to those rules are altered as set out in the following table:

Provision	Alteration
Coroners Act 1956	
Section 10A	Omit from the heading "Clerk", substitute "Registrar".
Magistrates Court Act 1930	
Sections 10M, 10N, 11, 12, 15, 69, 155, 155A, 159, 166E and 255B	Omit from the heading "Clerk", substitute "Registrar".
Magistrates Court (Civil Jurisdiction) Act 1982	
Sections 191, 267, 275 and 296	Omit from the heading "clerk", substitute "Registrar".
Maintenance Act 1968	
Section 110	Omit from the heading "Clerk", substitute "Registrar".
Recovery of Lands Act 1929	
Section 7	Omit from the heading "Clerk", substitute "Registrar".
Small Claims Act 1974	
Sections 25C and 43A	Omit from the heading "Clerk", substitute "Registrar".
Section 43	Omit from the heading "clerk", substitute "Registrar".
Magistrates Court Rules	
Rules 6 and 10	Omit from the heading "Clerk", substitute "Registrar".