

# AUSTRALIAN CAPITAL TERRITORY

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## Court of Petty Sessions (Civil Jurisdiction) (Amendment) Ordinance (No. 2) 1984

### No. 77 of 1984

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 13 December 1984.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

GARETH EVANS  
Attorney-General

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An Ordinance to amend the *Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*

### Short title

1. This Ordinance may be cited as the *Court of Petty Sessions (Civil Jurisdiction) (Amendment) Ordinance (No. 2) 1984*.<sup>1</sup>

### Commencement

2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for Territories and Local Government by notice in the *Gazette*.

### Principal Ordinance

3. In this Ordinance, "Principal Ordinance" means the *Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982*.<sup>2</sup>

**Filing of notice of grounds of defence**

4. Section 35 of the Principal Ordinance is amended by omitting from sub-section (1) “before judgment (whether final or interlocutory)” and substituting “before final judgment”.

**Summary judgment for plaintiff**

5. Section 136 of the Principal Ordinance is amended by omitting from sub-section (1) “the defendant in proceedings has filed a notice of grounds of defence and”.

6. After section 306 of the Principal Ordinance the following section is inserted:

**Inspection of records of default judgments**

“306A. Upon payment of the prescribed fee (if any), any person is entitled to inspect—

- (a) a register of the court that contains particulars of—
  - (i) judgments that have been entered pursuant to section 41; or
  - (ii) the setting aside of any such judgments pursuant to section 219;
- (b) the document or documents in such a register that contains or contain particulars of such a judgment or the setting aside of such a judgment; or
- (c) a part of such a register specified in the regulations.”.

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**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 19 December 1984.
2. No. 54, 1982 as amended by No. 76, 1984.