



AUSTRALIAN CAPITAL TERRITORY

Small Claims (Amendment) Act (No. 2) 1991

No. 40 of 1991

An Act to amend the *Small Claims Act 1974*

[Notified in ACT Gazette S95: 20 September 1991]

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

Citation

1. This Act may be cited as the *Small Claims (Amendment) Act (No. 2) 1991*.

Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) Subject to subsection (3), the remaining provisions commence on a day, or on 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.

Principal Act

3. In this Act, “Principal Act” means the *Small Claims Act 1974*.¹

Interpretation

4. Section 3 of the Principal Act is amended by inserting in subsection (1) the following definition:

“ ‘determined fee’ means the fee determined by the Minister under section 50A for the purposes of the provision in which the expression occurs;”.

Court fees

5. Section 46 of the Principal Act is amended by omitting from subsection (1) “prescribed fee” and substituting “determined fee”.

Insertion

6. After section 50 of the Principal Act the following section is inserted:

Power of Minister to determine fees

“50A. The Minister may, by notice in writing published in the *Gazette*, determine fees for the purposes of this Act.”.

Repeal

7. The Small Claims Regulations are repealed.

NOTE

1. Ordinance No. 6, 1974 as amended to date. For previous amendments see Note 1 to Act No. 25, 1991 and see also Act No. 25, 1991.

[Presentation speech made in Assembly on 15 August 1991]