



Australian Capital Territory

# **Justices of the Peace Act 1989 No 44**

## **Republication No 2**

Republication date: 12 March 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Justices of the Peace Act 1989* as in force on 12 March 2002. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to  
12 September 2001



Australian Capital Territory

# Justices of the Peace Act 1989

## Contents

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	Page
1 Short title	2
3 Appointments	2
3A Resignation	2
4 Register	2
4A Use and disclosure of information about justices of the peace	2
5 Appointments—saving	3
6 Register—saving	3
<b>Schedule 1 Oath and affirmation of office</b>	<b>4</b>
Oath	4
Affirmation	4

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Contents

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		Page
<b>Endnotes</b>		
1	About the endnotes	5
2	Abbreviation key	5
3	Legislation history	6
4	Amendment history	6
5	Earlier republications	7

Amendments incorporated to  
12 September 2001



Australian Capital Territory

## **Justices of the Peace Act 1989**

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An Act to provide for the appointment of justices of the peace consequentially on the repeal of the Seat of Government (Administration) Ordinance 1930

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**1 Short title**

This Act may be cited as the *Justices of the Peace Act 1989*.

**3 Appointments**

- (1) The Minister may, in writing, appoint the justices of the peace that he or she thinks fit.
- (2) Before commencing to perform the duties of his or her office, a justice of the peace appointed under subsection (1) shall take an oath of office, or make an affirmation of office, before a judge of the Supreme Court, in accordance with the relevant form in schedule 1.

**3A Resignation**

A person may resign as a justice of the peace by signed notice of resignation given to the Minister.

**4 Register**

- (1) The registrar of the Supreme Court shall keep a register to be known as the Register of Justices of the Peace of the Australian Capital Territory.
- (2) On the appointment of a justice of the peace, the registrar shall enter his or her name in the register.
- (3) The registrar shall strike off the register the name of a person whose appointment as a justice of the peace has ceased.

**4A Use and disclosure of information about justices of the peace**

- (1) This section applies to the personal information of a justice of the peace.
- (2) The Minister may authorise—

- (a) the use of the information to give justices of the peace in the ACT information about the A.C.T Justices of the Peace Association Incorporated (the *association*); and
  - (b) the disclosure of the information to the association to help it in circulating information about services that may be given by justices of the peace in the ACT.
- (3) In this section:

*personal information*, of a justice of the peace, means the justice's name and contact details.

#### **5 Appointments—saving**

A person who was, immediately before the commencement of section 3, appointed, or to be deemed to have been appointed, as a justice of the peace under the *Seat of Government (Administration) Ordinance 1930* shall be deemed to have been appointed under this Act, section 3 on that commencement.

#### **6 Register—saving**

The Register of Justices of the Peace of the Australian Capital Territory kept under the *Seat of Government (Administration) Ordinance 1930*, section 17 immediately before the date of commencement of this Act, section 4 shall be deemed to be a part of the register kept under this Act, section 4.

## **Schedule 1 Oath and affirmation of office**

(see s 3 (2))

### **Oath**

I, A.B., do swear that I will well and truly serve in the office of justice of the peace of the Australian Capital Territory

So help me God!

### **Affirmation**

I, A.B., do solemnly and sincerely affirm and declare that I will well and truly serve in the office of justice of the peace of the Australian Capital Territory.



## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
num = numbered	sdiv = subdivision
No = number	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced

## Endnotes

3 Legislation history

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### 3 Legislation history

The *Justices of the Peace Act 1989* was originally the *Justices of the Peace Ordinance 1989*. It became an ACT Act on self-government (11 May 1989).

#### Legislation before self-government

##### **Justices of the Peace Act 1989 No 44**

notified 10 May 1989

s1, s 2 commenced 10 May 1989 (s 2 (1))

remainder commenced 11 May 1989 (s 2 (2) and see Cwlth Gaz 1989 No S164)

as amended by

#### Legislation after self-government

##### **Law Reform (Miscellaneous Provisions) Act 1999 No 66 sch 3**

notified 10 November 1999 (Gaz 1999 No S45)

commenced 10 November 1999 (s 2)

##### **Justice and Community Safety Amendment Act 2001 No 9 sch 1**

notified 8 March 2001 (Gaz 2001 No 10)

commenced 8 March 2001 (s 2)

##### **Legislation (Consequential Amendments) Act 2001 No 44 pt 203**

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 203 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

### 4 Amendment history

#### **Commencement**

s 2 om 2001 No 44 amdt 1.2292

#### **Resignation**

s 3A ins 1999 No 66 sch 3

#### **Use and disclosure of information about justices of the peace**

s 4A ins 2001 No 9 amdt 1.18

#### **Oath and affirmation of office**

sch 1 hdg (prev sch hdg) renum R2 LA

## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
1	Not amended	31 July 1991

Authorised when accessed at [www.legislation.act.gov.au](http://www.legislation.act.gov.au) or in authorised printed form

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