



Australian Capital Territory

Magistrates Court (Transitional Provisions) Regulation 2009

Subordinate Law SL2009-20

The Australian Capital Territory Executive makes the following regulation under the *Magistrates Court Act 1930*.

Dated 11 May 2009.

SIMON CORBELL
Minister

ANDREW BARR
Minister



Australian Capital Territory

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1 Name of regulation

This regulation is the *Magistrates Court (Transitional Provisions) Regulation 2009*.

2 Commencement

This regulation commences immediately after the commencement of the *Crimes Legislation Amendment Act 2008*, schedule 1, part 1.11.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Modification of Act, ch 11—Act, s 452 (2)

The Act, chapter 11 applies as if section 451 were omitted and the following sections substituted:

‘451 Application of certain other amendments

- (1) The amendments of part 3.5 (Proceedings for indictable offences) made by the *Crimes Legislation Amendment Act 2008* do not apply in relation to a proceeding if the court has begun to take oral or written evidence in the proceeding before the amendments commence.
- (2) Part 3.5, as in force immediately before the amendments mentioned in subsection (1) commence, continues to apply in relation to the proceeding.
- (3) The amendments of part 3.10 (Criminal appeals) made by the *Crimes Legislation Amendment Act 2008* do not apply to a proceeding on an appeal if the proceeding has started before the amendments commence.
- (4) Part 3.10, as in force immediately before the amendments mentioned in subsection (3) commence, continues to apply to the proceeding.

451A Admissibility of certain written statements made before commencement day

- (1) In this section:

commencement day means the day the *Crimes Legislation Amendment Act 2008*, part 1.11 (Magistrates Court Act 1930) commences.

- (2) A written statement is not inadmissible only because it does not comply with section 90AA (3) if it—
- (a) was made before the commencement day; and
 - (b) contains words to the effect of the endorsement set out in section 90AA (3) (a).
- (3) This section is a law to which the Legislation Act, section 88 (Repeal does not end effect of transitional laws etc) applies.’

Endnotes

1 Notification

Notified under the Legislation Act on 18 May 2009.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
