



Australian Capital Territory

Magistrates Court (Transitional Provisions) Regulation 2009

SL2009-20

made under the

Magistrates Court Act 1930

Republication No 1

Effective: 30 May 2009 – 4 September 2009

Republication date: 30 May 2009

Regulation not amended

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Magistrates Court (Transitional Provisions) Regulation 2009*, made under the *Magistrates Court Act 1930* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 30 May 2009. It also includes any commencement, repeal or expiry affecting the republished law.

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):

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

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

Editorial amendments

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 does not include 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.



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Effective: 30/05/09-04/09/09

1 Name of regulation

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

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 About the endnotes

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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 and expiries 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 endnote.

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.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

