

**LOCAL COURTS (AMENDMENT) ACT, 1984, No. 142**

**New South Wales**



ANNO TRICESIMO TERTIO

**ELIZABETHÆ II REGINÆ**



**Act No. 142, 1984.**

An Act to amend the Local Courts Act, 1982, to make further provisions relating to certain stipendiary magistrates who do not accede to the office of Magistrate and certain other matters. [Assented to, 4th December, 1984.]

*Local Courts (Amendment) 1984*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**Short title.**

1. This Act may be cited as the "Local Courts (Amendment) Act, 1984".

**Amendment of Act No. 164, 1982.**

2. The Local Courts Act, 1982, is amended in the manner set forth in Schedule 1.

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**SCHEDULE 1.**

(Sec. 2.)

**AMENDMENTS TO THE LOCAL COURTS ACT, 1982.**

(1) Schedule 1, clause 5 (3), (4)—

Omit clause 5 (3), insert instead:—

(3) A former Magistrate who does not accede to the office of a Magistrate on the appointed day is, if the former Magistrate has not attained the age of 60 years, entitled to be appointed to some position in the Public Service and is, until—

(a) attaining that age; or

(b) ceasing to be a public servant,

whichever first occurs, entitled to be paid salary at a rate not lower than the rate of salary for the time being payable to a Magistrate of the rank or grading that is the equivalent (or the nearest equivalent) of the rank or grading held by the former Magistrate immediately before the appointed day.

*Local Courts (Amendment) 1984*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOCAL COURTS ACT, 1982—*continued.*

(4) Neither the enactment of nor the provisions of subclause (3) shall be treated by any court or tribunal, or in any other way, as a precedent for the manner in which other persons may be dealt with.

(2) Schedule 1, clause 7A—

After clause 7, insert:—

**Oath of office.**

7A. (1) In this clause, “re-appointed person” means a person—

- (a) who held the office of stipendiary magistrate immediately before the appointed day; and
- (b) who is appointed under this Act by the Governor to be a Magistrate so as to accede to that office on the appointed day.

(2) A re-appointed person who complied with section 9 of the Justices Act, 1902, before the appointed day shall be deemed to have—

- (a) taken and subscribed the oaths, or made and subscribed the affirmation, referred to in section 16 (1) of this Act and
- (b) transmitted them to the Minister,

within 3 months of the person’s appointment as a Magistrate.

(3) Schedule 1, clause 8 (4) (a)—

After “Schedule”, insert “, except clause 5 (3) and (4)”.

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