

District Courts Amendment Act 1979

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An Act to amend the District Courts Act 1947

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1 Short Title and commencement

- (1) This Act may be cited as the District Courts Amendment Act 1979, and shall be read together with and deemed part of the Act heretofore known as the Magistrates' Courts Act 1947 (hereinafter referred to as the principal Act).
- (2) This section and section 5 of this Act shall come into force on the date on which this Act receives the Governor-General's assent.
- (3) Except as provided in subsection (2) of this section, this Act shall come into force on the 1st day of April 1980.

2 Altering Short Title of principal Act and amending Acts

- (1) The principal Act may hereafter be cited as the District Courts Act 1947.
- (2) The Short Title of the principal Act and the Short Titles of the Acts specified in Schedule 1 to this Act are hereby consequentially amended, in each case, by omitting the word "Magistrates'", and substituting the word "District".
- (3) Every reference in any enactment to any of the said Acts is hereby consequentially amended by omitting the word "Magistrates'", and substituting the word "District".

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5 Number of Magistrates increased

- (1)
- (2) The Magistrates' Courts Amendment Act 1977 is hereby consequentially repealed.
- (3) This section shall expire with the 31st day of March 1980.
Subsection (1) was impliedly repealed, as from 1 April 1980, by section 6(1) of this Act.

6 Appointment and qualifications

- (1) *This subsection substituted section 5 of the principal Act.*

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- (2) Section 3 of the District Courts Amendment Act 1974 is hereby consequentially repealed.

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7A

Section 7A was repealed, as from 1 April 1985, by section 3(1)(b) District Courts Amendment Act (No 3) 1985 (1985 No 137).

8 Certain functions to be assumed by Chief District Court Judge

(1)

(2)

(3)

Subsection (1) was repealed, as from 2 September 1996, by section 3(5) District Courts Amendment Act 1996 (1996 No 119).

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Sections 9 to 11 were repealed, as from 13 November 1989, by sections 2(2), 3(2) and 4(2) District Courts Amendment Act 1989 (1989 No 107).

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Sections 9 to 11 were repealed, as from 13 November 1989, by sections 2(2), 3(2) and 4(2) District Courts Amendment Act 1989 (1989 No 107).

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Sections 9 to 11 were repealed, as from 13 November 1989, by sections 2(2), 3(2) and 4(2) District Courts Amendment Act 1989 (1989 No 107).

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Section 12 was repealed, as from 1 July 1991, by section 12(2) District Courts Amendment Act 1991 (1991 No 61).

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Section 13 and 14 were repealed, as from 13 November 1989, by sections 5(2) and 7(2) District Courts Amendment Act 1989 (1989 No 107).

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Section 13 and 14 were repealed, as from 13 November 1989, by sections 5(2) and 7(2) District Courts Amendment Act 1989 (1989 No 107).

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Section 15 was repealed, as from 3 January 1984, by section 4(2)(c) District Courts Amendment Act 1983 (1983 No 49).

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Section 16 was repealed, as from 13 November 1989, by section 10(2) District Courts Amendment Act 1989 (1989 No 107).

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18 References to Magistrates' Courts, etc, deemed references to District Courts

- (1) Every reference to a Magistrate's Court in the principal Act or any other enactment specified in Schedule 1 to this Act shall be deemed for all purposes to be a reference to a Court, and every such reference to a Magistrate or a Stipendiary Magistrate shall be deemed for all purposes to be a reference to a Judge.
- (2) Every reference to a Magistrate's Court in any enactment (other than one to which subsection (1) of this section applies) passed before the date of the commencement of this section or in any document executed before that date, shall be deemed for all purposes to be a reference to a District Court, and every such reference to a Magistrate or a Stipendiary Magistrate shall be deemed for all purposes to be a reference to a District Court Judge.

19 Transitional provisions

- (1) Every city, borough, or other place appointed by the Governor-General pursuant to section 4 of the principal Act before the commencement of this section as a city, borough, or other place in which Magistrates' Courts may be held for the exercise of civil jurisdiction or criminal jurisdiction shall, if the appointment was subsisting immediately before the commencement of this section, be deemed for all purposes to have been so appointed as cities, boroughs, or other places in which District Courts may be held for the exercise of the same jurisdiction.
- (2) Every person who, immediately before the commencement of this section, was holding office as a Magistrate pursuant to section 5 of the principal Act shall be deemed for all purposes to have been appointed to be a District Court Judge, and his commission shall be construed accordingly.
- (3) Every person who, immediately before the commencement of this section, was holding office as an acting Magistrate pursuant to section 10 or section 10A of the principal Act shall be deemed for all purposes to have been appointed to be an

acting District Court Judge, and his commission shall be construed accordingly.

- (4) The person who, immediately before the commencement of this section, was holding office as a Magistrate pursuant to section 11 of the principal Act shall be deemed for all purposes to have been appointed as a District Court Judge to exercise civil and criminal jurisdiction in the Chatham Islands, and his commission shall be construed accordingly.
- (5) Every person who, immediately before the commencement of this section, was holding office as a Registrar or Deputy Registrar or an officer of a Magistrate's Court shall be deemed for all purposes to have been appointed to be a Registrar or Deputy Registrar or an officer of a District Court.
- (6) Any form that was printed, before the commencement of this section, in the form prescribed by or under and for the purposes of the principal Act or the Summary Proceedings Act 1957 or any other enactment may be used for such purposes after the commencement of this section, and it shall not be necessary, merely because of any of the provisions of this Act, to alter any printed material in any such form.

20 Repeal

The District Courts Abolition Act 1925 is hereby repealed.