



ANALYSIS

Title	2. Appointment of Magistrates
1. Short Title	3. Salaries of Magistrates

1970, No. 81

An Act to amend the Magistrates' Courts Act 1947

[27 November 1970]

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—This Act may be cited as the Magistrates' Courts Amendment Act 1970, and shall be read together with and deemed part of the Magistrates' Courts Act 1947 (hereinafter referred to as the principal Act).

2. Appointment of Magistrates—(1) Section 5 of the principal Act (as amended by section 2 (1) of the Magistrates' Courts Amendment Act 1967) is hereby further amended by omitting from subsection (2) the words "exceed forty-five", and substituting the words "exceed 50".

(2) Section 2 of the Magistrates' Courts Amendment Act 1967 is hereby consequentially repealed.

3. Salaries of Magistrates—(1) The principal Act is hereby further amended by repealing section 6, and substituting the following section:

"6. (1) There shall be paid to every Magistrate out of the Consolidated Revenue Account, without further appropriation than this section, a salary at such rate as the Governor-General, by Order in Council, from time to time determines.

“(2) The salary of a Magistrate shall not be diminished by an Order in Council under this section during the continuance of his appointment.

“(3) Any Order in Council under subsection (1) of this section, and any provision of any such order, may be made so as to come into force on a date to be specified in that behalf in the order, being the date of the making of the order or any other date, whether before or after the date of the making of the order or the date of the commencement of this section.

“(4) Every such Order in Council, and every provision of any such order, in respect of which no date is specified as aforesaid shall come into force on the date of the making of the order.

“(5) The provisions of section 8 of the Regulations Act 1936 (which relates to the laying of regulations before Parliament) shall extend and apply to every Order in Council made under subsection (1) of this section.

“(6) Every Magistrate shall be entitled to such travelling and other allowances as may be prescribed by regulations made under this Act.”

(2) The Magistrates' Courts Amendment Act 1969 is hereby consequentially repealed.

(3) Notwithstanding anything in the foregoing provisions of this section, the salary payable to every Magistrate shall continue to be paid at the rate fixed by section 6 of the principal Act (as in force immediately before the passing of this Act) until that rate is increased by an order made under section 6 of the principal Act (as substituted by subsection (1) of this section).

This Act is administered in the Department of Justice.
