

STIPENDIARY MAGISTRATES AMENDMENT ACT (No. 2)

No. 89 of 1990

AN ACT to amend the *Stipendiary Magistrates Act 1957*.

[Assented to 20 December 1990.]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Stipendiary Magistrates Amendment Act (No. 2) 1990*.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Principal Act

3. In this Act the *Stipendiary Magistrates Act 1957** is referred to as the principal Act.

[*Approved for reprint 21 January 1981 and amended by Acts Nos. 7 of 1982; 74 of 1986 and 49 of 1988.]

Section 3 amended

4. Section 3 of the principal Act is amended in the definition of “stipendiary magistrate” by inserting after “Chief Stipendiary Magistrate” the following—

“ and Deputy Chief Stipendiary Magistrate ”.

Section 4 amended

5. Section 4 of the principal Act is amended—

(a) in subsection (4) by inserting after “Chief Stipendiary Magistrate” the following—

“ and one to be Deputy Chief Stipendiary Magistrate ”;

(b) in subsection (5), by inserting after “Chief Stipendiary Magistrate” the following—

“ , the Deputy Chief Stipendiary Magistrate ”.

Section 5A amended

6. Section 5A of the principal Act is amended in paragraph (c) by deleting “sixty” and substituting the following—

“ fifty-five ”.

Section 5C amended

7. Section 5C of the principal Act is amended by inserting after subsection (1) the following subsection—

“ (1a) Where the Chief Stipendiary Magistrate is absent from duty and no appointment is made under subsection (1) the Deputy Chief Stipendiary Magistrate may act as Chief Stipendiary Magistrate. ”.
