

Magistrates Court Act 2004

**Magistrates Court (General) Amendment Rules
(No. 3) 2014**

Made by the Magistrates Court.

1. Citation

These rules are the *Magistrates Court (General) Amendment Rules (No. 3) 2014*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day fixed under the *Road Traffic (Administration) Act 2008* section 2(b).

3. Rules amended

These rules amend the *Magistrates Court (General) Rules 2005*.

4. Part 8 heading amended

In the heading to Part 8 delete “*Road Traffic Act 1974*” and insert:

Road traffic legislation

5. Rule 50 amended

- (1) In rule 50 delete the definition of *Director General*.
- (2) In rule 50 insert in alphabetical order:

CEO has the meaning given in the *Road Traffic (Administration) Act 2008* section 4;

RT (AD) Act means the *Road Traffic (Authorisation to Drive) Act 2008*;

6. Rule 51 amended

- (1) In rule 51(1) delete “RTA section 76(1)” and insert:

RT (AD) Act section 27

- (2) In rule 51(3) delete “RTA section 76(7)(a)” and insert:

RT (AD) Act section 35(1)

- (3) In rule 51(4) delete “RTA section 76(7)(b)” and insert:

RT (AD) Act section 35(2)

Note: The heading to rule 51 is to read:

Application under RT (AD) Act s. 27 or 35, how to be made

7. Rule 52 amended

- (1) In rule 52(1) delete “RTA section 76.” and insert:

RT (AD) Act section 29 or 35(3).

- (2) In rule 52(2):

- (a) in paragraph (c) delete “Director General” and insert:

CEO

(b) in paragraph (c) delete “Director General.” and insert:

CEO.

(3) In rule 52(3)(c) delete “Director General” and insert:

CEO

(4) In rule 52(4)(c) delete “Director General.” and insert:

CEO.

(5) In rule 52(5) delete “Director General” and insert:

CEO

8. Rule 53 amended

(1) In rule 53(1):

(a) delete “Director General has been served with an application made under the RTA section 76(1) or an application made under the RTA section 76(7)(a),” and insert:

CEO been served with an application made under the RT (AD) Act section 27 or 35(1),

(b) delete “Director General.” and insert:

CEO.

(2) In rule 53(2) delete “RTA section 76(7)(b)” and insert:

RT (AD) Act section 35(2)

9. Rule 54 amended

In rule 54 delete “RTA section 76(1) or an application made under the RTA section 76(7)(a) —” and insert:

RT (AD) Act section 27 or 35(2) —

10. Rule 55 amended

In rule 55 delete “Director General” and insert:

CEO

Note: The heading to rule 55 is to read:

CEO to be notified of decision

11. Schedule 2 amended

(1) In Schedule 2 Form 5:

- (a) delete “*Road Traffic Act 1974* s. 76(1)” (each occurrence) and insert:

Road Traffic (Authorisation to Drive) Act 2008 s. 27

- (b) delete “Director General” and insert:

CEO

- (c) delete “*Road Traffic Act 1974* s. 76(3).” and insert:

Road Traffic (Authorisation to Drive) Act 2008 s. 30.

(2) In Schedule 2 Form 7:

- (a) delete “*Road Traffic Act 1974* s. 76(7)(a)” (each occurrence) and insert:

Road Traffic (Authorisation to Drive) Act 2008 s. 35(1)

- (b) delete “*Road Traffic Act 1974* s. 76(9)(a).” and insert:

Road Traffic (Authorisation to Drive) Act 2008 s. 35(4).

(3) In Schedule 2 Form 8:

- (a) delete “*Road Traffic Act 1974* s. 76(7)(b)” (each occurrence) and insert:

Road Traffic (Authorisation to Drive) Act 2008 s. 35(2)

- (b) delete “**by Director General**” and insert:

by CEO

- (c) delete “the Director General” and insert:

the CEO

- (d) delete “for Director General” and insert:

for CEO

(e) delete “*Road Traffic Act 1974 s. 76(9).*” and insert:

Road Traffic (Authorisation to Drive) Act 2008 s. 35(4).

Note: The heading to Schedule 2 Form 8 is to read:

Application by CEO to vary, cancel extraordinary licence (r. 51(4))

S. HEATH, Chief Magistrate.

E. WOODS, Deputy Chief Magistrate.

R. BAILEY, Magistrate.

K. TAVENER, Magistrate.
