

Magistrates Court (Civil Proceedings) Amendment Rules 2015

Made by the Magistrates Court in accordance with the *Magistrates Court Act 2004* section 39.

1. Citation

These rules are the *Magistrates Court (Civil Proceedings) Amendment Rules 2015*.

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 after that day.

3. Rules amended

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

4. Rule 124 amended

In rule 124(1) in the Table insert in alphabetical order:

Mandatory Testing (Infectious Diseases) Act 2014 s. 16.

5. Rule 126 amended

In rule 126(1) after “129C,” insert:

129D,

6. Rule 127 amended

In rule 127(1A) in the Table insert in alphabetical order:

<i>Mandatory Testing (Infectious Diseases) Act 2014</i>	s. 16.
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7. Rule 128 amended

(1) At the beginning of rule 128 insert:

(1) This rule does not apply to an application made to the Court under the *Mandatory Testing (Infectious Diseases) Act 2014* section 16.

(2) In rule 128 delete “Unless” and insert:

(2) Unless

8. Rule 129A amended

(1) At the beginning of rule 129A insert:

(1) This rule does not apply to an application made to the Court under the *Mandatory Testing (Infectious Diseases) Act 2014* section 16.

(2) In rule 129A delete “Except” and insert:

(2) Except

9. Rule 129D inserted

After rule 129C insert:

129D. *Mandatory Testing (Infectious Diseases) Act 2014*

- (1) An application under the *Mandatory Testing (Infectious Diseases) Act 2014* section 16 must be lodged together with a supporting affidavit.
- (2) Rule 126(1) does not apply to the application.
- (3) The Court may make, vary or revoke a disease test order under the *Mandatory Testing (Infectious Diseases) Act 2014* section 19 orally or in writing.

10. Various references to “court” amended

In rules 131AA to 131AD delete “court” (each occurrence) and insert:

Court

Dated: 16 April 2015.

Magistrates’ signatures:

Mr STEVEN HEATH, Chief Magistrate.

Ms ELIZABETH WOODS, Deputy Chief Magistrate.

Mr JOE CICCHINI, Magistrate.

Mr DENIS TEMBY, Magistrate.
