

Integrity and Other Legislation Amendment Bill 2022

Amendments during consideration in detail to be moved by
The Honourable the Minister for Education, Minister for Industrial
Relations and Minister for Racing

1 **Clause 2 (Commencement)**

Page 8, line 7, after ‘and 56’—

insert—

and part 3A

2 **Clause 15 (Amendment of s 35 (Audits at request of Legislative Assembly))**

Page 18, lines 1 to 8—

omit.

3 **After clause 59**

Page 42, after line 20—

insert—

Part 3A Amendment of Magistrates Act 1991

59A Act amended

This part amends the *Magistrates Act 1991*.

59B Insertion of new pt 10, div 11

Part 10—

insert—

Division 11 Validation provision for particular acting magistrates

74 Validation of purported appointment of particular acting magistrates

- (1) This section applies if—
 - (a) during the period from 27 June 2019 to 1 July 2022 a person was purportedly appointed to act as a magistrate under section 6(1)(b); and
 - (b) on the day of the purported appointment the person was 70 years or more.
- (2) It is declared that the purported appointment of the person is, was and always has been, as valid as it would be or would have been had the person been less than 70 years throughout the period of the purported appointment.
- (3) It is also declared that—
 - (a) a relevant exercise of jurisdiction by the person is, was and always has been as valid as it would be or would have been had the person been less than 70 years throughout the period of the purported appointment; and
 - (b) the person did not cease to act as a magistrate under section 42(d) only because the person was 70 years or more while purportedly acting as a magistrate.
- (4) In this section—

relevant exercise of jurisdiction, by a person, means an exercise of the jurisdiction, powers and functions conferred on a magistrate, or on 2 justices, by or under any law of the State (including the making of any decision or order), by the person, during the period of the purported appointment of the person to act as a magistrate.

4 Long title

Long title, after ‘the *Integrity Act 2009*,’—
insert—

the *Magistrates Act 1991*,

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