



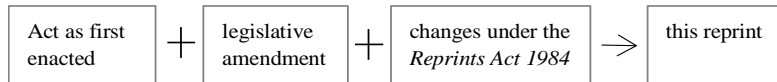
Western Australia

The Magisterial Districts Act 1886

Reprinted as at 24 May 2002

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Western Australia

The Magisterial Districts Act 1886

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Western Australia

Reprinted under the
Reprints Act 1984 as
at 24 May 2002

The Magisterial Districts Act 1886

An Act to provide for the constitution of Magisterial Districts.

Preamble

Whereas different portions of the Colony have heretofore been declared by notice in the *Government Gazette* under the authority of the Governor, to be Magisterial Districts, and such districts are referred to in various Ordinances and Acts of the Legislature and in other public documents, and doubts have arisen as to the legal constitution of such districts and whether the same can in all or any cases be judicially noticed; and whereas it is expedient to remove such doubts and to make provision for the legal constitution of Magisterial Districts: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows: —

1. Governor may proclaim Magisterial Districts, etc.

It shall be lawful for the Governor at any time and from time to time, by proclamation, to do any one or more of the following acts: —

- (a) To declare any portion of the Colony to be a “magisterial district”, and by such proclamation to name such district so declared.
- (b) To declare and name new magisterial districts wholly without or wholly within or partly without and partly

within the limits of magisterial districts then in existence.

- (c) To alter the boundaries of magisterial districts, either by separating part of a magisterial district from and declaring that it shall no longer form part of a magisterial district or by adding to a magisterial district other land, whether theretofore included or not within the limits of a magisterial district.
- (d) To cancel the proclamation of a magisterial district.
- (e) To alter the name of a magisterial district.

2. Publication and contents of proclamation

Every proclamation to be issued under the provisions of this Act shall be published at least once in the *Government Gazette*, and shall define the boundaries of any magisterial district thereby declared, and also in case of an alteration of boundaries of a magisterial district the boundaries of the piece proposed to be separated or added shall be described.

3. Interpretation of “District of a Resident, Police, or Government Resident Magistrate”

Wherever in any Ordinance, Act, or Law of the Colony, or in any public notice, rule, regulation, local law, by-law, proclamation, or official document whatever, the district of a Resident Magistrate, Police Magistrate, or Government Resident Magistrate is mentioned or referred to, such district shall be taken and construed to mean the portion of the Colony heretofore declared and designated by notice in the *Government Gazette* under the authority of the Governor to be a magisterial district, or hereafter to be proclaimed and designated under the provisions of this Act to be a magisterial district, and for which a Resident Magistrate, Police Magistrate, or Government Resident Magistrate (as the case may be) has been or may hereafter be nominated and appointed by authority; and wherever as aforesaid the Resident Magistrate, Police Magistrate, or Government Resident Magistrate of a district is

mentioned or referred to, such Magistrate shall be taken and construed to mean the Resident Magistrate, Police Magistrate, or Government Resident Magistrate (as the case may be) nominated and appointed to be the Resident Magistrate, Police Magistrate, or Government Resident Magistrate of a magisterial district heretofore declared and designated as aforesaid, or hereafter to be proclaimed and designated under the provisions of this Act.

[Section 3 amended by No. 14 of 1996 s. 4.]

4. Interpretation of “Magisterial District”

The words “**Magisterial District**”, wherever the same occur in any Ordinance, Act, or Law of the Colony, or in any public notice, rule, regulation, local law, by-law, proclamation, or other official document whatever, shall be taken and construed to mean a magisterial district heretofore declared and designated as aforesaid, or hereafter to be proclaimed and designated under the provisions of this Act.

[Section 4 amended by No. 14 of 1996 s. 4.]

5. Evidence of proclamation and declaration of Magisterial District

Every proclamation under the provisions of this Act, and every declaration and designation of a magisterial district heretofore made, may be proved by production of a copy of the *Government Gazette* containing the same respectively.

6. Short title

This Act may be cited as *The Magisterial Districts Act 1886*¹.

Notes

- ¹ This reprint is a compilation as at 24 May 2002 of *The Magisterial Districts Act 1886* and includes the amendments made by the other written laws referred to in the following table.

Compilation table

Short title	Number and Assent year	Commencement
<i>The Magisterial Districts Act 1886</i>	50 Vict. No. 17 (1886)	16 Aug 1886
<i>Local Government (Consequential Amendments) Act 1996 s. 4</i>	14 of 1996	28 Jun 1996
		1 Jul 1996 (see s. 2)