

Queensland



ANNO TRICESIMO PRIMO

ELIZABETHAE SECUNDAE REGINAE

No. 51 of 1982

**An Act to amend the District Courts Act 1967–1980, the
Magistrates Courts Act 1921–1976 and the Property
Law Act 1974–1981 each in certain particulars**

[ASSENTED TO 22ND OCTOBER, 1982]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

1. Short title. This Act may be cited as the *District and Magistrates Courts Acts and Property Law Act Amendment Act 1982*.

2. Commencement. (1) Section 1 and this section shall commence on the day this Act is assented to for and on behalf of Her Majesty.

(2) Except as is provided in subsection (1), this Act shall commence on a day appointed by Proclamation.

3. Arrangement. This Act is arranged in Parts as follows:—

PART I—PRELIMINARY (ss. 1-2);

PART II—AMENDMENT OF DISTRICT COURTS ACT (ss. 3-4);

PART III—AMENDMENT OF MAGISTRATES COURTS ACT (ss. 5-6);

PART IV—AMENDMENT OF PROPERTY LAW ACT (ss. 7-8).

PART II—AMENDMENT OF DISTRICT COURTS ACT

4. Citation. (1) In this Part the *District Courts Act 1967-1980* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *District Courts Act 1967-1982*.

5. Table of amendments. The Principal Act is amended as indicated in the following Table:—

TABLE

Enactment Amended	Amendment
s. 66 (1)—Civil jurisdiction in personal actions	Omit the expression “\$15 000” and substitute the expression “\$40 000”.
s. 75—When a jury may be summoned	Omit the expression “\$2 500” wherever it occurs and substitute in each case the expression “\$5 000”.
s. 90—Possession of small tenements may be recovered by landlords for non-payment of rent	Omit the expression “\$2 500” and substitute the expression “\$5 000”.
s. 92 (1)—Appeal to the Supreme Court in certain cases	Omit the expression “\$2 500” wherever it occurs and substitute in each case the expression “\$5 000”.
s. 92 (3)—	Omit the expression “\$5 000” and substitute the expression “\$10 000”.

PART III—AMENDMENT OF MAGISTRATES COURTS ACT

6. Citation. (1) In this Part the *Magistrates Courts Act 1921–1976* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Magistrates Courts Act 1921–1982*.

7. Table of amendments. The Principal Act is amended as indicated in the following Table:—

TABLE

Enactment Amended	Amendment
s. 2—Interpretation	Omit the expression “\$450” where it occurs in the definition “Action for a small debt” and substitute the expression “\$1 500”.
s. 4—Jurisdiction of Magistrates Courts	Omit the expression “\$2 500” wherever it occurs and substitute in each case the expression “\$5 000”.
s. 7A (1)—Actions for small debts	Omit the expression “\$450” and substitute the expression “\$1 500”.
s. 10 (1)—Rules of evidence ..	Omit the expression “\$150” and substitute the expression “\$300”.
s. 11 (3)—Appeal	Omit the expression “\$300” wherever it occurs and substitute in each case the expression “\$600”. Omit the expression “\$200” and substitute the expression “\$400”.

PART IV—AMENDMENT OF PROPERTY LAW ACT

8. Citation. (1) In this Part the *Property Law Act 1974–1981* is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Property Law Act 1974–1982*.

9. Table of amendments. The Principal Act is amended as indicated in the following Table:—

TABLE

Enactment Amended	Amendment
s. 41 (3)—Sale or division of chattels	Omit the expression “\$15 000” and substitute the expression “\$40 000”.
s. 108 (4)—Recovery of possession where half-year’s rent is due	Omit the expression “\$2 500” and substitute the expression “\$5 000”.
s. 147 (5)—Arrears of rent, etc.	Omit the expression “\$2 500” and substitute the expression “\$5 000”.