



TASMANIA

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**ADMISSION TO COURTS AMENDMENT ACT 1992**

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**No. 14 of 1992**

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AN ACT to amend the *Admission to Courts Act 1916*

[Royal Assent 6 August 1992]

**B**E it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

### Short title

1—This Act may be cited as the *Admission to Courts Amendment Act 1992*.

### Commencement

2—This Act commences on the day on which it receives the Royal Assent.

### Principal Act

3—In this Act, the *Admission to Courts Act 1916*\* is referred to as the Principal Act.

### Preamble amended

4—The Preamble to the Principal Act is amended by inserting “for the purpose of securing public order and safety in the courts and” after “courts”.

### Sections 1A and 1B inserted

5—After section 1 of the Principal Act, the following sections are inserted:—

#### Interpretation

1A—In this Act—

“**authorized officer**”, in relation to a court, means a member of the police force, within the meaning of the *Police Regulation Act 1898*, and, in relation to a particular court, means a person who is appointed under section 1B to be an authorized officer of that court;

“**court**” includes the premises occupied in connection with the operations of a court and the precincts of those premises;

“**registrar**” means—

(a) in the case of the Supreme Court, the Registrar of that Court; or

(b) in the case of a “lower court”, within the meaning of the *Magistrates Court Act 1987*, the Administrator of the Magistrates Court.

#### Appointment of authorized officer

1B—A registrar of a court may appoint a person to be an authorized officer of that court for the purposes of this Act.

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\* 7 Geo. V No. 12. For this Act, as amended to 1 September 1977, see the continuing Reprint of Statutes.

**Section 2 substituted**

6—Section 2 of the Principal Act is repealed and the following section is substituted:—

**Regulations**

2—(1) The Governor may, on the recommendation of the judges, make regulations for or with respect to the following matters:—

- (a) the admission of persons to any court;
- (b) the conduct of persons in any court;
- (c) the control of persons in any court;
- (d) any other matter that is necessary or convenient for securing public order and safety in any court.

(2) Without limiting the generality of subsection (1), regulations made under this section may confer power on an authorized officer to—

- (a) require any person who is in a court to state the person's name and address; and
- (b) require any person entering, or in, a court to submit to a search; and
- (c) seize and detain anything found on a person searched that the authorized officer considers to be dangerous; and
- (d) remove, or cause to be removed, from a court any person behaving in an unlawful or disorderly manner.

(3) Regulations made under this section may be made so as to apply differently according to matters, limitations or restrictions whether as to time, circumstance or otherwise, specified in the regulations.

(4) Regulations made under this section may provide that it is an offence for a person to contravene or fail to comply with any of the regulations and may provide in respect of any such offence for the imposition of a fine not exceeding 10 penalty units or imprisonment for a term not exceeding 6 months or both.

**Section 4 amended (Offences punishable summarily by judge, &c.)**

7—Section 4 of the Principal Act is amended as follows:—

- (a) by omitting “Breaches of such” and substituting “An offence under the”;
- (b) by omitting “breach” and substituting “offence”.

**Section 5 amended (Formal charge not necessary)**

8—Section 5 of the Principal Act is amended as follows:—

- (a) by omitting “No formal charge of any breach shall be required” and substituting “A formal charge of any offence under the regulations is not required”;
- (b) by omitting “satisfy himself” and substituting “be satisfied”;
- (c) by omitting “he shall think” and substituting “the judge or person thinks”.