

**Version No. 001**  
**Magistrates' Court General Regulations 2014**

**S.R. No. 112/2014**

Version as at  
1 September 2014

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**1 Objectives**

The objectives of these Regulations are to—

- (a) revoke the Magistrates' Court General Regulations 2011; and
- (b) prescribe oaths and affirmations of office for magistrates; and
- (c) prescribe other matters required or necessary to be prescribed to give effect to the **Magistrates' Court Act 1989**.

**2 Authorising provision**

These Regulations are made under section 140 of the **Magistrates' Court Act 1989**.

**3 Commencement**

These Regulations come into operation on 1 September 2014.

**4 Definition**

In these Regulations—

*the Act* means the **Magistrates' Court Act 1989**.

**5 Revocation**

The Magistrates' Court General Regulations 2011<sup>1</sup> are **revoked**.

**6 Prescribed forms for oath of office for a magistrate**

For the purposes of section 7(5) of the Act, the prescribed forms for oath of office for a magistrate are set out in Schedule 1.

**7 Prescribed particulars for warrants**

For the purposes of section 57(2) of the Act, the following particulars are prescribed—

- (a) type of warrant issued;
- (b) date of issue of warrant;
- (c) in the case of a warrant to seize property or a warrant to imprison issued for non-payment of a fine—
  - (i) the sum in respect of which the warrant is issued; and
  - (ii) the person to whom the warrant is directed for execution.

**8 Prescribed particulars for warrants to seize property**

For the purposes of section 73(3AA)(f) of the Act, the following particulars are prescribed—

- (a) the direction of the warrant to the sheriff;
- (b) the prescribed fee payable on the issue of the warrant.

**9 Prescribed venues of the Court**

For the purposes of section 82(2) of the Act, the venues of the Court set out in Schedule 2 are prescribed.

**10 Prescribed areas in which service of civil process is not required**

The areas set out in Schedule 3 are prescribed to be areas in which police officers are not required to serve process in civil proceedings.

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**SCHEDULES**

**SCHEDULE 1**

Regulation 6

**OATH OF OFFICE**

I, [*full name*], swear by Almighty God (or the person may name a god recognised by his or her religion) that as a magistrate for Victoria I will at all times and in all things do equal justice to all persons and discharge the duties of my office according to law and to the best of my knowledge and ability without fear, favour or affection.

**AFFIRMATION OF OFFICE**

I, [*full name*], solemnly and sincerely declare and affirm that as a magistrate for Victoria I will at all times and in all things do equal justice to all persons and discharge the duties of my office according to law and to the best of my knowledge and ability without fear, favour or affection.

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**SCHEDULE 2**

Regulation 9

**PRESCRIBED VENUES OF THE COURT FOR THE  
PURPOSES OF SECTION 82(2) OF THE MAGISTRATES'  
COURT ACT 1989**

Ararat	Heidelberg	Portland
Bacchus Marsh	Hopetoun	Preston
Bairnsdale	Horsham	Ringwood
Ballarat	Kerang	Robinvale
Benalla	Korumburra	Sale
Bendigo	Kyneton	Seymour
Broadmeadows	Latrobe Valley	Shepparton
Castlemaine	Mansfield	St Arnaud
Cobram	Maryborough	Stawell
Colac	Melbourne	Sunshine
Corryong	Mildura	Swan Hill
Dandenong	Moe	Wangaratta
Dromana	Moorabbin Justice Centre (Highett)	Warrnambool
Drug Court (Dandenong)	Myrtleford	Werribee
Echuca	Neighbourhood Justice Centre (Collingwood)	Wodonga
Edenhope	Nhill	Wonthaggi
Frankston	Omeo	
Geelong	Orbost	
Hamilton	Ouyen	

**SCHEDULE 3**

Regulation 10

**AREAS PRESCRIBED TO BE AREAS IN WHICH POLICE OFFICERS ARE NOT REQUIRED TO SERVE PROCESS IN CIVIL PROCEEDINGS**

Alpine Shire Council	Hobsons Bay City Council
Ararat Rural City Council	Horsham Rural City Council
Ballarat City Council	(except for the area known as the former Shire of Arapiles)
Banyule City Council	Hume City Council
Bass Coast Shire Council	Indigo Shire Council
Baw Baw Shire Council	Kingston City Council
Bayside City Council	Knox City Council
Benalla Rural City Council	La Trobe Shire Council
Boroondara City Council	Loddon Shire Council
Borough of Queenscliff	Macedon Ranges Shire Council
Brimbank City Council	Manningham City Council
Buloke Shire Council (except for the area known as the former Shire of Wycheproof)	Mansfield Shire Council
Campaspe Shire Council	Maribyrnong City Council
Cardinia Shire Council	Maroondah City Council
Casey City Council	Melbourne City Council
Central Goldfields Shire Council	Melton Shire Council
Colac Otway Shire Council	Mildura Rural City Council
Corangamite Shire Council	(except for the area known as the former Shire of Walpeup)
Darebin City Council	Mitchell Shire Council
East Gippsland Shire Council (except for the area known as the former Shire of Omeo)	Moira Shire Council
Frankston City Council	Monash City Council
Gannawarra Shire Council	Moonee Valley City Council
Glen Eira City Council	Moorabool Shire Council
Glenelg Shire Council (except for the area known as the former Shire of Heywood)	Moreland City Council
Golden Plains Shire Council	Mornington Peninsula Shire Council
Greater Bendigo City Council	Mount Alexander Shire Council
Greater Dandenong City Council	Moyne Shire Council
Greater Geelong City Council	Murrindindi Shire Council
Greater Shepparton City Council	Nillumbik Shire Council
Hepburn Shire Council	Northern Grampians Shire Council
Hindmarsh Shire Council	Port Phillip City Council
	Pyrenees Shire Council
	South Gippsland Shire Council
	Southern Grampians Shire Council

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**Sch. 3**

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Stonnington City Council	Wellington Shire Council
Strathbogie Shire Council	West Wimmera Shire Council
Surf Coast Shire Council	Whitehorse City Council
Swan Hill Rural City Council	Whittlesea City Council
(except for the area known as	Wodonga City Council
the former Shire of Swan Hill)	Wyndham City Council
Towong Shire Council (except	Yarra City Council
for the area known as the	Yarra Ranges Shire Council
former Shire of Upper Murray)	Yarriambiack Shire Council
Wangaratta Rural City Council	(except for the area known as
Warrnambool City Council	the former Shire of Karkaroc)

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## ENDNOTES

### 1. General Information

The Magistrates' Court General Regulations 2014, S.R. No. 112/2014 were made on 26 August 2014 by the Governor in Council under section 140 of the **Magistrates' Court Act 1989**, No. 51/1989 and came into operation on 1 September 2014: regulation 3.

The Magistrates' Court General Regulations 2014 will sunset 10 years after the day of making on 26 August 2024 (see section 5 of the **Subordinate Legislation Act 1994**).

**2. Table of Amendments**

There are no amendments made to the Magistrates' Court General Regulations 2014 by statutory rules, subordinate instruments and Acts.

**3. Explanatory Details**

<sup>1</sup> Reg. 5: S.R. No. 55/2011.