

**Common Form 41 - ORDERS ON APPEAL (MAGISTRATES COURT
CRIMINAL JURISDICTION)**

Judicial Officer: The Honourable Justice.....

Date of notice of appeal:[DD/MM/YYYY]

Date of order appealed against:[DD/MM/YYYY]

Court location appealed from:

Magistrates Court file number:

Judicial Officer Appealed from: SM

Date(s) of hearing:[DD/MM/YYYY]

Date of order:[DD/MM/YYYY]

Appearances:Solicitor/Counsel for the Appellant(s)
.....Solicitor/Counsel for the Respondent(s)
.....Solicitor/Counsel for [Other Parties]

Recitals: [If any]

[By Consent] **THE COURT ORDERS that:**

1. The appeal be dismissed.

OR

1. The appeal be allowed,

[and as appropriate]

the conviction appealed against quashed and the complaint remitted to the Magistrates Court (constituted by another Special Magistrate) for rehearing, there to be dealt with according to law.

OR

the order for dismissal appealed against set aside and the complaint remitted to the Magistrates Court (constituted by another Special Magistrate) for rehearing, there to be dealt with according to law.

OR

the penalty imposed upon the conviction set aside and the complaint remitted to the Magistrates Court (constituted by another Special Magistrate) for rehearing as to penalty, there to be dealt with according to law, the conviction otherwise being affirmed.

OR

the penalty imposed upon the conviction set aside and there be substituted for such penalty [*Set out substituted penalty*], the conviction otherwise being affirmed.

2. The [Party] pay to the [Party] \$[Amount] for the costs of the appeal.

[Other text, if applicable.]

[Reproduction of Court Seal] This order is authenticated by.....
for Registrar

Computer File Reference.....