

Land Valuation Proceedings Amendment Act 1968

Public Act 1968 No 42
Date of assent 4 December 1968

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An Act to abolish the Land Valuation Court and to transfer its jurisdiction to the Administrative Division of the High Court; and to amend the Land Valuation Court Act 1948 and other enactments for that purpose and for purposes related thereto.

1 Short Title and commencement

- (1) This Act may be cited as the Land Valuation Proceedings Amendment Act 1968, and shall be read together with and deemed part of the Act heretofore cited as the Land Valuation Court Act 1948 (hereinafter referred to as the “principal Act”).
- (2) This Act shall come into force on the 1st day of April 1969.

**Transfer of Land Valuation Court’s
jurisdiction to Administrative Division of
High Court.**

2 Land Valuation Court abolished and jurisdiction transferred to the Administrative Division of the High Court

- (1) The Land Valuation Court established under the principal Act is hereby abolished, and, subject to the provisions of the principal Act and this Act, all the powers and jurisdiction of that Court are hereby vested in and may be exercised by the Administrative Division of the High Court.
- (2) As from the commencement of this Act, all claims, applications, objections, appeals, proceedings, and other matters which, if this Act had not been passed, would be required to be made or referred to and heard and determined by the Land Valuation Court shall be made or referred to and heard and determined by the Administrative Division of the High Court.
- (3) All claims, applications, objections, appeals, proceedings, and other matters which before the commencement of this Act have been made or referred to the Land Valuation Court, but which have not been determined at the commencement of this Act, shall be deemed to have been made to the Administrative Division of the High Court:

Provided that any such claim, application, objection, appeal, proceeding, or other matter which before the commencement of this Act has been wholly or partly heard but has not been de-

terminated shall be determined as if this Act had not been passed, except that section 18A of the principal Act (as inserted by section 8 of this Act) shall apply to the determination of the Court thereon.

- (4) Every reference to the Land Valuation Court in the principal Act or any other Act (not being a reference only to **the Court** or a reference that is expressly amended by this Act) or in any rule, regulation, bylaw, judgment, order, contract, agreement, or other document whatsoever (including any reference heretofore substituted by any provision of the principal Act for a reference to any other Court) shall hereafter, unless the context otherwise requires, be read as a reference to the Administrative Division of the High Court.
- (5) Every reference to a Registrar of the Land Valuation Court in any enactment other than the principal Act (not being a reference that is expressly amended by this Act), or in any rule, regulation, bylaw, judgment, order, contract, agreement, or other document whatsoever shall hereafter, unless the context otherwise requires, be read as a reference to a Registrar of the High Court.
- (6) For the purposes of this section, the expression **Administrative Division of the High Court** means the Administrative Division of that Court, including the 2 additional members appointed under section 3 of the principal Act (as substituted by section 5 of this Act).

Amendments of principal Act

3 Alteration of Short Titles of principal Act and amending Acts

- (1) The principal Act may hereafter be cited as the Land Valuation Proceedings Act 1948.
- (2) The Short Title of the principal Act, and the Short Titles of—
 - (a) The Land Valuation Court Amendment Act 1965; and
 - (b) The Land Valuation Court Amendment Act 1967—are hereby consequentially amended, in each case, by omitting the word “Court”, and substituting the word “Proceedings”.

- (3) Every reference in any enactment to the Short Title of any of the said Acts is hereby consequentially amended by omitting the word “Court”, and substituting the word “Proceedings”

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- (1) *This subsection inserted section 18A in the principal Act.*
(2) Section 17 of the principal Act is hereby repealed.
(3) *This subsection amended section 33(4) of the principal Act.*

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- (1)
(2)

Subsection (1) was repealed, as from 1 September 1977, by section 6(9)(d) Land Valuation Proceedings Amendment Act 1977.

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Section 10 was repealed, as from 1 September 1977, by section 6(9)(d) Land Valuation Proceedings Amendment Act 1977.

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13 Consequential amendments of principal Act. Repeals

- (1)
(2) The following enactments are hereby consequentially repealed:
(a) Section 33 of the Statutes Amendment Act 1949:
(b) The Land Valuation Court Amendment Act 1964:
(c) The Land Valuation Court Amendment Act (No 2) 1967.

14 Savings as to existing appointments, awards, and orders

- (1) Every person who at the commencement of this Act holds office as a member or deputy member of the Land Valuation Court (otherwise than as the Judge of the Court or as the Deputy Judge) shall be deemed for the purposes of the principal Act and this Act to have been appointed as an additional

member or, as the case may require, a deputy additional member of the Administrative Division of the High Court under the principal Act (as amended by this Act), and shall continue in office as such, subject to the principal Act (as so amended) for the unexpired portion of the term or period of his appointment and, in the case of a deputy, subject to the conditions and limitations, if any, specified in his appointment.

- (2) All awards and orders of the Land Valuation Court shall continue in full force and effect according to their tenor, and may be enforced as if this Act had not been passed.

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Amendments of other Acts

Schedule 1

Section 13(1)

**Consequential amendments of principal
Act**

Schedule 2

Section 15

Consequential amendments of other Acts