

JUDICATURE AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill is to authorize a Judge or Judges of the Supreme Court to be appointed in excess of the number fixed by law (eleven) whenever it is deemed necessary by reason of the absence or anticipated absence of any of the Judges on leave preliminary to retirement. Such appointments are to be permanent appointments in anticipation of the next vacancies to occur in the office of Judge.

The Bill is made retrospective to 29 June 1953, the date of the appointment of the Hon. Mr Justice Turner as a temporary Judge, and *clause 3* provides that he is to be deemed to have been permanently appointed on that date in accordance with the provisions of this Bill.

Hon. Mr Webb

JUDICATURE AMENDMENT

ANALYSIS

Title.	2. Judges of the Supreme Court. Consequential repeals.
1. Short Title and commencement.	3. Appointment of Hon. Mr Justice Turner.

A BILL INTITULED

AN ACT to amend the Judicature Act 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority
5 of the same, as follows:

1. (1) This Act may be cited as the Judicature Amendment Act 1953, and shall be read together with and deemed part of the Judicature Act 1908.

Short Title and commencement.
See Reprint of Statutes, Vol. II, p. 60

(2) This Act shall be deemed to have come into force
10 on the twenty-ninth day of June, nineteen hundred and fifty-three.

2. (1) Section two of the Judicature Amendment Act 1913 (as amended by subsection two of section two of the Judicature Amendment Act 1935) is hereby
15 further amended by inserting at the beginning the following subsection:

Judges of the Supreme Court.
See Reprint of Statutes, Vol. II, p. 92
1935, No. 18

“(1) The Supreme Court shall consist of one Judge, to be called the Chief Justice of New Zealand, and ten other Judges:

“ Provided that an additional Judge or Judges may be appointed whenever the Governor-General deems it necessary by reason of the absence or anticipated absence of any of the Judges on leave preliminary to retirement, and every such appointment shall be a permanent appointment from the time when it is made, and shall fill the vacancy next occurring in the office of Judge, not being a vacancy filled by an earlier appointment under this proviso.” 5

Consequential
repeals.
1935, No. 18
1948, No. 77

(2) This section is in substitution for section two of the Judicature Amendment Act 1935, as amended by section twenty-five of the Statutes Amendment Act 1948, and those sections are hereby accordingly repealed. 10

Appointment
of Hon. Mr
Justice Turner.

3. The Honourable Alexander Kingcome Turner, who was appointed to be a Judge of the Supreme Court for a limited period on the twenty-ninth day of June, nineteen hundred and fifty-three, shall be deemed to have been duly appointed permanently on that date under the proviso to subsection one of section two of the Judicature Amendment Act 1913, as enacted by section *two* of this Act. 15 20