

[BILL OF SESS. II., 1897.]  
[To be read a second time, 1898.]

*This Bill was reported on by the Joint Statutes Revision Committee, 10th November, 1897, when before the Legislative Council.*

*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.*

*Legislative Council.  
26th November 1897.*

*Hon. W. C. Walker.*

SUPREME COURT ACT AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p style="padding-left: 40px;">(1.) Judges.</p> <p>2. When Judge hereafter appointed to retire.</p> <p>3. To be deemed to have resigned.</p>	<p>(2.) Registrars.</p> <p>4. Powers and jurisdiction of Registrars.</p> <p>5. Registrars may sit at Chambers.</p> <p>6. Appeal from decision of Registrar.</p> <p>7. No proceeding on order while appeal pending, except by leave.</p> <p>8. Repeal. Saving of powers heretofore granted.</p>
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A BILL INTITULED

AN ACT to amend the Law relating to the Practice and Procedure of the Supreme Court. Title.

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

1. The Short Title of this Act is "The Supreme Court Act Amendment Act, 1897." Short Title.

(1.) Judges.

10 2. Every person who is hereafter appointed a Judge of the Supreme Court shall cease to hold that office on his attaining the age of seventy-five years. When Judge hereafter appointed to retire.

3. Every Judge who under the provisions of the *last-preceding* section hereof ceases to hold his office shall be deemed to have 15 resigned the same. To be deemed to have resigned.

(2.) Registrars.

4. It shall be lawful for the Governor in Council, with the concurrence of the Judges of the Supreme Court, or any two of them, from time to time to confer upon any Registrar of the Supreme 20 Court for any district, or for any part thereof, authority to exercise, within such limits of area as may be declared, all or any of the powers and jurisdiction referred to in the next succeeding section. Powers and jurisdiction of Registrars.

5. Any Registrar so authorised may sit at Chambers during the illness of the Judge or his absence from the place where the offices 25 of the Court are situate, whether the Judge usually resides in the district or not, and while so sitting shall have the same powers and jurisdiction as a Judge sitting at Chambers, or such lesser powers and jurisdiction as may have been so conferred; and the fact that such Registrar exercises the said powers and jurisdiction shall be 30 sufficient evidence of his authority to do so: Registrars may sit at Chambers.

Provided that he shall not have power to make any order required by law to be made in Court:

Provided also that he may refer to the Judge any matter brought before him under this Act, and the proceedings shall thereupon be transmitted to the Judge in such manner as the Registrar directs. 5

Appeal from decision of Registrar.

6. Any party dissatisfied with any order, judgment, or direction made or given by any Registrar under this Act may appeal to a Judge at Chambers, who may discharge, vary, or affirm the same in such manner and on such terms as he deems just. 10

No proceeding on order while appeal pending, except by leave.

7. Whilst any such appeal is pending, no proceeding shall, without the leave of the Registrar, be taken to enforce or otherwise act upon the order, judgment, or direction appealed against; and, in granting such leave, the Registrar may impose such terms as he deems just. 15

Repeal.

8. "The Supreme Court Practice and Procedure Acts Amendment Act, 1893," is hereby repealed:

Provided—

Saving of powers heretofore granted.

(1.) That any Proclamation made under that Act may be revoked or varied by Order in Council under this Act, and until so revoked or varied shall continue in force; and 20

(2.) That all powers and jurisdictions conferred upon any Registrar by or under that Act shall continue to be exercisable by him until superseded by Order in Council under this Act.