

## HOUSE OF REPRESENTATIVES

## Supplementary Order Paper

Wednesday, 5 December 1979

## COURTS AMENDMENT BILL

*Proposed Amendments*

Hon. J. K. McLAY, in Committee, to move the following amendments:

*Clause 1, subclause (2):* To insert in line 9 on page 2, after the expression "18," the expression "36,".

*Clause 16, subclause (1):* To add to the definition of the term "Judge", in lines 25 and 26 on page 9, the words "; and includes the Chief District Court Judge".

*Clause 20:* To omit from lines 18 and 19 on page 11 the words "one of the Judges to be the", and substitute the word "a".

*Clause 36:* To omit from line 12 on page 17 the word "High", and substitute the word "Supreme".

*Clause 42:* To omit subclause (1) on page 21, and substitute the following subclauses:

(1) Section 4 of the principal Act is hereby amended by inserting, after the definition of the term "Cook Islands", the following definition:

" 'District Court' means a District Court constituted by section 3 of the District Courts Act 1947; and 'Chief District Court Judge' and 'District Court Judge' have corresponding meanings:".

(1A) The said section 4 is hereby further amended by inserting, after the definition of the term "Governor-in-Council", the following definition:

" 'High Court' means the High Court of New Zealand:".

*The Second Schedule:* To add, on page 24, the following items:

1977, No. 54—The Contractual Mistakes Act 1977	By omitting from section 9 (1) (b) the expression "\$3,000", and substituting the expression "\$12,000".
1979, No. 11—The Contractual Remedies Act 1979	By omitting from section 12 (1) (b) the expression "\$3,000", and substituting the expression "\$12,000".

## EXPLANATORY NOTE

*Clause 1, subclause (2):* The amendment is consequential upon the recommendation of the Statutes Revision Committee that Part IV of the Bill should come into force on the Bill's passing.

*Clause 16, subclause (1):* The amendment is of a drafting nature only, made necessary by the proposed amendment to clause 20.

*Clause 20:* The amendment makes it clear that the Chief District Court Judge can be appointed from those eligible to be Judges, as well as from those already on the Bench.

*Clause 36:* The amendment is made necessary by the decision to bring this clause into force on the passing of this Bill.

*Clause 42:* The effect of the amendment is to insert in the Acts Interpretation Act 1924 an appropriate definition of the term "District Court".

*The Second Schedule:* The amendments increase from \$3,000 to \$12,000 the limit on the exercise of jurisdiction by a District Court under the specified provisions.