

**Reprint
as at 1 January 2018**

Judicature Amendment Act 1910

Public Act 1910 No 27
Date of assent 21 November 1910

Judicature Amendment Act 1910: repealed, on 1 January 2018, pursuant to section 182 of the Senior Courts Act 2016 (2016 No 48).

Contents

	Page
Title	1
1 Short Title	1
3 Execution of instruments by order of the High Court	2
4 Court or Judge to have discretion in certain cases	2

An Act to amend the Judicature Act 1908

1 Short Title

This Act may be cited as the Judicature Amendment Act 1910, and shall form part of and be read together with the Judicature Act 1908.

2 *[Repealed]*

Repealed, as from 1 April 1973, by section 18(3) Judicature Amendment Act 1972 (1972 No 130).

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

This Act is administered by the Ministry of Justice.

3 Execution of instruments by order of the High Court

- (1) Where any person neglects or refuses to comply with a judgment or order of the High Court or Court of Appeal directing him to execute any conveyance, contract, or other document, or to endorse any negotiable instrument, the High Court may, on such terms and conditions (if any) as may be just, order that such conveyance, contract, or other document shall be executed or that such negotiable instrument shall be endorsed by such person as the High Court may nominate for that purpose; and in such case the conveyance, contract, document, or instrument so executed or endorsed shall operate and be for all purposes available as if it had been executed or endorsed by the person originally directed to execute or endorse it.
- (2) This section shall not affect any action or other proceeding already commenced in any Court, or invalidate anything heretofore lawfully done, or validate anything already declared to be invalid in any proceedings heretofore taken in any Court.

The words “the High Court” were substituted for the words “the Supreme Court”, as from 1 April 1980, pursuant to section 12 Judicature Amendment Act 1979 (1979 No 124).

4 Court or Judge to have discretion in certain cases

In any case coming within the exceptions specified in paragraphs (c) and (d) of section 3 of the Imprisonment for Debt Limitation Act 1908, or within either of those exceptions, any Court or Judge making the order for payment, or having jurisdiction in the action or proceeding in which the order for payment is made, may inquire into the case, and (subject to the provisos contained in the said section 3) may grant or refuse, either absolutely or upon terms, any application for a writ of attachment, or other process or order of arrest or imprisonment, and any application to stay the operation of any such writ, process, or order, or for discharge from arrest or imprisonment thereunder.

Eprint notes

1 *General*

This is an eprint of the Judicature Amendment Act 1910 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Senior Courts Act 2016 (2016 No 48): section 182