

# New South Wales



ANNO UNDECIMO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

### Act No. 1, 1962.

An Act to make further provision with respect to costs recoverable in Supreme Court actions; for this and other purposes to amend the Common Law Procedure Act, 1899, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 10th May, 1962.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Common Law Procedure (Amendment) Act, 1962". Short title and citation.

(2)

---

*Common Law Procedure (Amendment).*

---

(2) The Common Law Procedure Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Common Law Procedure Act, 1899-1962.

Amendment  
of Act No.  
21, 1899.

**2.** (1) The Common Law Procedure Act, 1899, as amended by subsequent Acts, is amended—

Sec. 104.  
(Inspection  
of real or  
personal  
property.)

(a) by omitting from subsection one of section one hundred and four the words “by the jury or by such party or by his witnesses” and by inserting in lieu thereof the words “, by any one or more of the following, that is to say, the jury, such party, his counsel, solicitor and such other person as the Court or Judge in such rule or order may designate,”;

Sec. 267.  
(Costs when  
not more  
than £30  
recovered.)

(b) by omitting from subsection one of section two hundred and sixty-seven the word “thirty” and by inserting in lieu thereof the words “one hundred and fifty”.

(2) The amendment made by paragraph (b) of subsection one of this section shall apply to and in respect of actions commenced on or after the date upon which the assent of Her Majesty to this Act is signified.

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1962

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 8 May, 1962.*

## New South Wales



ANNO UNDECIMO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

### Act No. 1, 1962.

An Act to make further provision with respect to costs recoverable in Supreme Court actions; for this and other purposes to amend the Common Law Procedure Act, 1899, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 10th May, 1962.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Common Law Procedure (Amendment) Act, 1962".

Short title  
and citation.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

HOWARD T. FOWLES,  
*Chairman of Committees of the Legislative Assembly.*

---

*Common Law Procedure (Amendment).*

---

(2) The Common Law Procedure Act, 1899, as amended by subsequent Acts and by this Act, may be cited as the Common Law Procedure Act, 1899-1962.

Amendment  
of Act No.  
21, 1899.

**2.** (1) The Common Law Procedure Act, 1899, as amended by subsequent Acts, is amended—

Sec. 104.  
(Inspection  
of real or  
personal  
property.)

(a) by omitting from subsection one of section one hundred and four the words "by the jury or by such party or by his witnesses" and by inserting in lieu thereof the words ", by any one or more of the following, that is to say, the jury, such party, his counsel, solicitor and such other person as the Court or Judge in such rule or order may designate,";

Sec. 267.  
(Costs when  
not more  
than £30  
recovered.)

(b) by omitting from subsection one of section two hundred and sixty-seven the word "thirty" and by inserting in lieu thereof the words "one hundred and fifty".

(2) The amendment made by paragraph (b) of subsection one of this section shall apply to and in respect of actions commenced on or after the date upon which the assent of Her Majesty to this Act is signified.

*In the name and on behalf of Her Majesty I assent to  
this Act.*

E. W. WOODWARD,  
*Governor.*

*Government House,  
Sydney, 10th May, 1962.*