

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 26 October, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Supreme Court Act, 1970, with respect
to the powers of registrars of the Supreme Court.

BE

36815

226—

Supreme Court (Amendment).

BE 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 :—

5 **1.** This Act may be cited as the "Supreme Court Short title. (Amendment) Act, 1977".

2. (1) Except as provided in subsection (2), this Act Commence- shall commence on the date of assent to this Act. ment.

(2) Section 3 shall commence on such day as may be
10 appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Supreme Court Act, 1970, is amended—

Amendment
of Act No.
52, 1970.

(a) by omitting from section 19 (1) the definition of Sec. 19.
"registry" and by inserting instead the following (Interpre-
15 definition :— tation
generally.)

"registrar" means a person who, under section
120 (a), is for the time being appointed
to and holding an office mentioned in
section 119 and includes—

20 (a) a person who, under section 120
(b), is for the time being appointed
to act temporarily in any such office;
and

(b)

Supreme Court (Amendment).

- 5 (b) a person who, under section 120
(c), is for the time being appointed
as a deputy or an assistant to the
holder of any such office, but only
when he is exercising a power con-
ferred by or under this Act on that
holder with the authority of that
holder or a person for the time
being appointed to act temporarily
10 in the office of that holder.
- (b) by omitting from section 56 (1) the words “of the Sec. 56.
Common Law Division” and by inserting instead (Commer-
cial list.)
the words “of the Court”;
- 15 (c) by inserting at the end of section 119 the following Sec. 119.
subsection :— (Offices of
registrars.)
- 20 (3) Notwithstanding the provisions of any
other Act, a registrar may exercise the powers of
any other registrar if and so far as he is authorised
to do so by the rules, and, when so doing, he shall
be deemed to be that other registrar.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

SUPREME COURT (AMENDMENT) BILL, 1977

No. , 1977.

A BILL FOR

An Act to amend the Supreme Court Act, 1970, with respect
to the powers of registrars of the Supreme Court.

[MR F. J. WALKER—21 September, 1977.]

BE

Supreme Court (Amendment).

BE 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 :—

5 **1.** This Act may be cited as the "Supreme Court Short title. (Amendment) Act, 1977".

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commence-
ment.

(2) Section 3 shall commence on such day as may be
10 appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Supreme Court Act, 1970, is amended—

Amendment
of Act No.
52, 1970.

(a) by omitting from section 19 (1) the definition of
"registry"; Sec. 19.
(Interpre-
tation
generally.)

15 (b) by omitting from section 56 (1) the words "of the
Common Law Division" and by inserting instead
the words "of the Court"; Sec. 56.
(Commer-
cial list.)

(c)

Supreme Court (Amendment).

- (c) by inserting at the end of section 119 the following subsection :—

Sec. 119.
(Offices of
registrars.)

5 (3) Notwithstanding the provisions of any other Act, a registrar may exercise the powers of any other registrar if and so far as he is authorised to do so by the rules, and, when so doing, he shall be deemed to be that other registrar.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

Law of 1957

(c) by inserting at the end of section 119 the following:

119. (1) Notwithstanding the provisions of any other Act a register may be kept in any form and may be kept in any place and may be kept in any manner and may be kept in any language and may be kept in any form and may be kept in any place and may be kept in any manner and may be kept in any language.

PROOF

SUPREME COURT (AMENDMENT) BILL, 1977

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE object of this Bill is to permit any registrar of the Supreme Court to exercise the powers of any other registrar subject to the rules of the Supreme Court and to provide for a common registry of the Supreme Court.

PROOF

SUPREME COURT (AMENDMENT) BILL, 1977

EXPLANATORY NOTE

(This Explanatory Note relates to the Bill as introduced into Parliament)

The object of the Bill is to amend the powers of the Supreme Court to exercise the jurisdiction of any other court and to provide for the exercise of the powers of the Supreme Court.

PROOF

SUPREME COURT (AMENDMENT) BILL, 1977

No. , 1977.

A BILL FOR

An Act to amend the Supreme Court Act, 1970, with respect
to the powers of registrars of the Supreme Court.

[MR F. J. WALKER—21 September, 1977.]

BE

Supreme Court (Amendment).

BE 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 :—

5 1. This Act may be cited as the "Supreme Court Short title. (Amendment) Act, 1977".

2. (1) Except as provided in subsection (2), this Act Commence- shall commence on the date of assent to this Act. ment.

(2) Section 3 shall commence on such day as may be 10 appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Supreme Court Act, 1970, is amended—

Amendment of Act No. 52, 1970.

(a) by omitting from section 19 (1) the definition of "registry";

Sec. 19. (Interpre- tation generally.)

15 (b) by omitting from section 56 (1) the words "of the Common Law Division" and by inserting instead the words "of the Court";

Sec. 56. (Commer- cial list.)

(c)

Supreme Court (Amendment).

(c) by inserting at the end of section 119 the following subsection :—

Sec. 119.
(Offices of registrars.)

5 (3) Notwithstanding the provisions of any other Act, a registrar may exercise the powers of any other registrar if and so far as he is authorised to do so by the rules, and, when so doing, he shall be deemed to be that other registrar.

Subpart (a) (Amendment)

(c) by inserting in the end of section 119 the following section:
"119A. (1) Notwithstanding the provisions of any other Act, a registrar may exercise the powers of any other registrar and so far as he is authorised to do so by the rules, and when so doing, he shall be deemed to be that other registrar."

**SUPREME COURT (AMENDMENT) ACT,
1977**

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 120, 1977.

An Act to amend the Supreme Court Act, 1970, with respect to the powers of registrars of the Supreme Court. [Assented to, 9th December, 1977.]

BE

Supreme Court (Amendment).

BE 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 :—

Short title. **1.** This Act may be cited as the “Supreme Court (Amendment) Act, 1977”.

**Commence-
ment.** **2.** (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Amendment
of Act No.
52, 1970.** **3.** The Supreme Court Act, 1970, is amended—

Sec. 19. (a) by omitting from section 19 (1) the definition of
(Interpre- “registry” and by inserting instead the following
tation definition :—
generally.)

“registrar” means a person who, under section 120 (a), is for the time being appointed to and holding an office mentioned in section 119 and includes—

(a) a person who, under section 120 (b), is for the time being appointed to act temporarily in any such office; and

(b)

Supreme Court (Amendment).

- (b) a person who, under section 120 (c), is for the time being appointed as a deputy or an assistant to the holder of any such office, but only when he is exercising a power conferred by or under this Act on that holder with the authority of that holder or a person for the time being appointed to act temporarily in the office of that holder.
- (b) by omitting from section 56 (1) the words “of the Common Law Division” and by inserting instead the words “of the Court”;
Sec. 56. (Commercial list.)
- (c) by inserting at the end of section 119 the following subsection :—
Sec. 119. (Offices of registrars.)
- (3) Notwithstanding the provisions of any other Act, a registrar may exercise the powers of any other registrar if and so far as he is authorised to do so by the rules, and, when so doing, he shall be deemed to be that other registrar.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978

Supreme Court (Continued)

(b) a person who, under section 150 (e), is for the time being appointed as a deputy or an assistant to the holder of any such office, but only when he is exercising a power conferred by or under this Act on that holder with the authority of that holder or a person for the time being appointed to act temporarily in the office of that holder.

(b) by omitting from section 50 (1) the words "of the Common Law Division" and by inserting instead the words "of the Court";

(c) by inserting at the end of section 119 the following subsection:—

"119. Notwithstanding the provision of any other Act a registrar may exercise the power of any other registrar if and so far as he is entitled to do so by the rules and when so directed shall be deemed to be that other registrar."

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.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 November, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. 120, 1977.

An Act to amend the Supreme Court Act, 1970, with respect
to the powers of registrars of the Supreme Court.
[Assented to, 9th December, 1977.]

BE

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

T. J. CAHILL,
Chairman of Committees of the Legislative Assembly.

Supreme Court (Amendment).

BE 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 :—

Short title. **1.** This Act may be cited as the "Supreme Court (Amendment) Act, 1977".

Commence-ment. **2.** (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 52, 1970. **3.** The Supreme Court Act, 1970, is amended—

Sec. 19. (a) by omitting from section 19 (1) the definition of (Interpre-
tation
generally.) "registry" and by inserting instead the following definition :—

"registrar" means a person who, under section 120 (a), is for the time being appointed to and holding an office mentioned in section 119 and includes—

(a) a person who, under section 120 (b), is for the time being appointed to act temporarily in any such office; and

(b)

Supreme Court (Amendment).

- (b) a person who, under section 120 (c), is for the time being appointed as a deputy or an assistant to the holder of any such office, but only when he is exercising a power conferred by or under this Act on that holder with the authority of that holder or a person for the time being appointed to act temporarily in the office of that holder.
- (b) by omitting from section 56 (1) the words “of the Common Law Division” and by inserting instead the words “of the Court”; Sec. 56. (Commercial list.)
- (c) by inserting at the end of section 119 the following subsection :— Sec. 119. (Offices of registrars.)
- (3) Notwithstanding the provisions of any other Act, a registrar may exercise the powers of any other registrar if and so far as he is authorised to do so by the rules, and, when so doing, he shall be deemed to be that other registrar.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 9th December, 1977.*

ANNEXURE

Annexure to the Report

(a) A person who under section 120
is liable for the offence of
aiding or abetting the commission
of an offence shall not be
liable for a conviction under this
section if he is shown to have
acted in good faith and to have
acted in the belief that the
person in whose aid he acted
was acting lawfully.

(b) In this section, "the offence"
means an offence which is
specified in the Schedule to
this Act.

(c) For the purposes of this section,
a person shall be deemed to have
acted in good faith if he shows
that he had reasonable grounds
for believing that the person
in whose aid he acted was acting
lawfully.

THE GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
NEW DELHI

Government of India
New Delhi, 1974