

PRIVY COUNCIL APPEALS ABOLITION BILL, 1978

EXPLANATORY NOTE

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

The objects of this Bill are to abolish appeals to the Privy Council from courts of New South Wales and to make other provisions of an ancillary and saving nature.

PRIVY COUNCIL APPEALS ABOLITION BILL, 1978

No. , 1978.

A BILL FOR

An Act to abolish appeals to the Privy Council from courts of New South Wales.

[MR F. J. WALKER—6 December, 1978.]

Privy Council Appeals Abolition.

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 "Privy Council Appeals Short title. Abolition Act, 1978".

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

(2) Sections 3–5 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. In this Act—

Interpre-
tation.

"appeal" includes a petition of appeal and a complaint in the nature of an appeal;

15 "appeal to Her Majesty in Council" includes any appeal to Her Majesty;

"court" includes a judge and a judicial officer;

"decision" includes a determination, judgment, decree, order and sentence.

20 **4.** Subject to section 5, no appeal to Her Majesty in Council **Abolition**
lies or shall be brought, whether by leave or special leave of any **of appeals**
court of New South Wales or of Her Majesty in Council or **to Her**
otherwise, and whether by virtue of any Imperial Act, the Royal **Majesty in**
Council
Prerogative or otherwise, from or in respect of any decision of any **from courts**
of New **of New**
25 court of New South Wales. **South**
Wales.

Privy Council Appeals Abolition.

5. Nothing in section 4 affects an appeal to Her Majesty in Council from or in respect of a decision of a court of New South Wales given in a proceeding that was commenced in a court of New South Wales before the date of commencement of this section, but this section shall not be construed as permitting or enabling an appeal to Her Majesty in Council to be brought that could not have been brought if this Act had not been enacted.

Saving of
appeals in
pending
proceedings.

BY AUTHORITY

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

[8c]

Trust Company, State, Oklahoma

5. Nothing in section 10101 of the Oklahoma Statutes shall be construed to require a Trust Company to file a report with the Oklahoma State Board of Finance in a case where the Trust Company has not been found to be insolvent or in a case where the Trust Company has not been found to be in violation of the provisions of section 10101 of the Oklahoma Statutes. When given in a proceeding that was conducted in a court of record, the Trust Company shall not be considered as providing or causing an appeal to the Oklahoma State Board of Finance that could not have been brought if the Act had not been enacted.



