PRIVY COUNCIL APPEALS ABOLITION BILL, 1979

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.

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No. , 1979.

A BILL FOR

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

[MR F. J. WALKER—27 September, 1979.]

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:-

- 1. This Act may be cited as the "Privy Council Appeals Short title. Abolition Act. 1979".
 - (1) Except as provided in subsection (2), this Act shall Commencecommence on the date of assent to this Act.
- (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—

Interpretation.

- "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.
- 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 Majesty in otherwise, and whether by virtue of any Imperial Act, the Royal Council Prerogative or otherwise, from or in respect of any decision of any of New 25 court of New South Wales

South Wales.

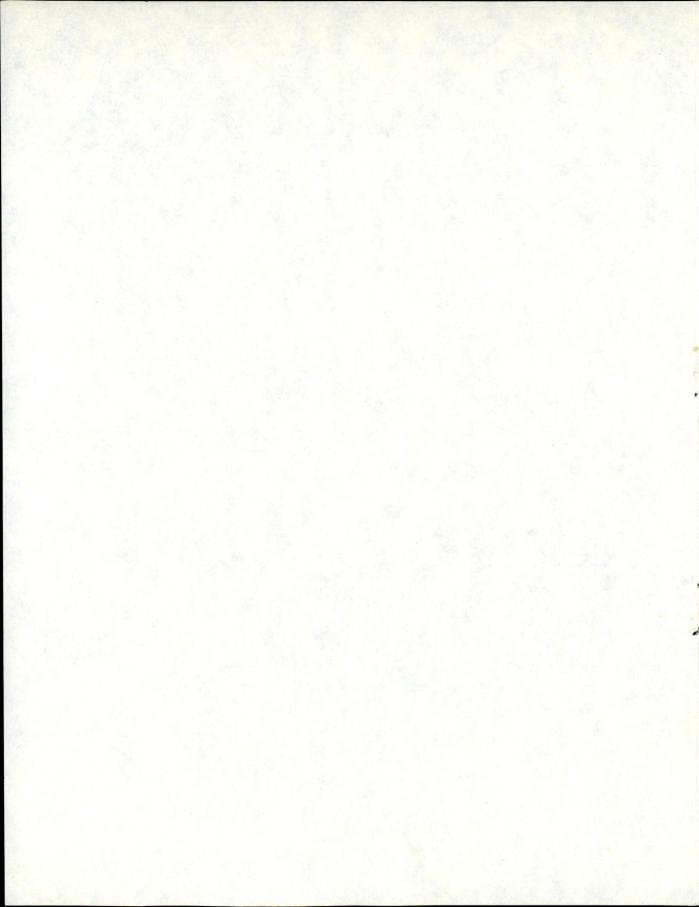
5. Nothing in section 4 affects an appeal to Her Majesty in Saving of Council from or in respect of a decision of a court of New South appeals in Wales given before the date of commencement of this section, but proceedings. this section shall not be construed as permitting or enabling an appeal to Her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

BY AUTHORITY
D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES, 1979

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

BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES, 1979

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