

Legislative Council.

No. , 1902.

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## A BILL

To amend the District Courts Act, 1901, and the Small Debts Recovery Act, 1899, with respect to the attachment of debts due from garnishees.

[MR. WISE ;—25 June, 1902.]

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**B**E it enacted by the King'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 "District Courts and Small Debts Recovery Acts Amending Act." Short title.

### PART I.

#### *Amendment of the District Courts Act, 1901.*

10       2. In the absence of a District Court Judge from any town or place at which a District Court is appointed to be held, an application under section ninety-six of the District Courts Act, 1901, for the examination of a judgment debtor may be made to the registrar of such Court; and such registrar shall in such case have the powers and duties conferred on the District Court Judge by the said section.

Registrar to have certain powers under section 96 of District Courts Act, 1901, in absence of District Court Judge.

Registrar to have certain powers under section 97 of the said Act.

Provisions of subdivision (2) of Division Eleven to apply to this Part of this Act.

Limitation of section 98 of Principal Act.

3. In such absence of a District Court Judge the registrar of the Court shall have the powers and duties conferred on the District Court Judge by section ninety-seven of the said Act.

4. The provisions of subdivision (2) of Division Eleven of Part Three of the District Courts Act, 1901, relating to proceedings before a District Court Judge, shall apply to proceedings before a registrar under this Part of this Act. 5

5. Section ninety-eight of the said Act is amended by the addition of the words "to the amount only of the judgment debt."

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PART II.

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*Amendment of Small Debts Recovery Act, 1899.*

Extension of jurisdiction to registrar of Court of Petty Sessions.

6. The jurisdiction conferred by sections forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, and fifty-two of the Small Debts Recovery Act, 1899, on a police magistrate only, shall, in the absence of the police magistrate from the town or place in which the Court of Petty Sessions is appointed to be held, be exercisable by the registrar of such Court. 15

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

*Legislative Council Chamber,  
Sydney, 23rd July, 1902.* }

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO SECUNDO

## EDWARDI VII REGIS.

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Act No. , 1902.

An Act to amend the District Courts Act, 1901, and the Small Debts Recovery Act, 1899, with respect to the attachment of debts due from garnishees.

**B**E it enacted by the King'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 "District Courts and Small Debts Recovery Acts Amending Act." Short title.

### PART I.

#### *Amendment of the District Courts Act, 1901.*

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*District Courts and Small Debts Recovery.*

3. In such absence of a District Court Judge the registrar of the Court shall have the powers and duties conferred on the District Court Judge by section ninety-seven of the said Act. Registrar to have certain powers under section 97 of the said Act.

4. The provisions of subdivision (2) of Division Eleven of Part Three of the District Courts Act, 1901, relating to proceedings before a District Court Judge, shall apply to proceedings before a registrar under this Part of this Act. Provisions of subdivision (2) of Division Eleven to apply to this Part of this Act.

5. Section ninety-eight of the said Act is amended by the addition of the words "to the amount only of the judgment debt." Limitation of section 98 of Principal Act.

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PART II.

*Amendment of Small Debts Recovery Act, 1899.*

6. The jurisdiction conferred by sections forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, and fifty-two of the Small Debts Recovery Act, 1899, on a police magistrate only, shall, in the absence of the police magistrate from the town or place in which the Court of Petty Sessions is appointed to be held, be exercisable by the registrar of such Court. Extension of jurisdiction to registrar of Court of Petty Sessions.