



ANALYSIS

Title	2. Jurisdiction of Magistrates' Courts
1. Short Title	3. Appeals

1970, No. 67

An Act to amend the Guardianship Act 1968

[27 November 1970]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Guardianship Amendment Act 1970, and shall be read together with and deemed part of the Guardianship Act 1968 (hereinafter referred to as the principal Act).

2. Jurisdiction of Magistrates' Courts—Section 4 of the principal Act is hereby amended by inserting in the proviso to subsection (1), after the words “interim custody”, the words “or an application under section 19 of this Act”.

3. Appeals—(1) Section 31 of the principal Act is hereby amended by inserting in subsection (1), after the words “of this Act”, the words “Every appeal under this subsection, except an appeal upon a question of law, shall be by way of rehearing of the original proceedings as if the proceedings had been properly commenced in the Supreme Court.”.

(2) Section 31 of the principal Act is hereby further amended by repealing subsection (3), and substituting the following subsection:

“(3) Except on an appeal upon a question of law, the Court of Appeal may in its discretion rehear the whole or any part of the evidence, or may receive further evidence, if it thinks that the interests of justice so require.”

(3) This section shall be deemed to have come into force on the 1st day of January 1970.

This Act is administered in the Department of Justice.
