



ANALYSIS

Title
1. Short Title

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| 2. Payment of fees and travelling allowances to members of Rules Committee | |
| 3. Trial of action where claim reduced | |

1973, No. 69

An Act to amend the Judicature Act 1908

[21 November 1973]

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 Judicature Amendment Act (No. 2) 1973, and shall be read together with and deemed part of the Judicature Act 1908 (hereinafter referred to as the principal Act).

2. Payment of fees and travelling allowances to members of Rules Committee—Section 2 of the Judicature Amendment Act 1930 (as substituted by section 2 of the Judicature Amendment Act (No. 2) 1968 and amended by section 2 (1) of the Judicature Amendment Act 1970) is hereby further amended by adding the following subsections:

“(4) The Rules Committee is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.

“(5) There may be paid out of money appropriated by Parliament for the purpose to the members of the Rules

Committee appointed under subsection (1) (e) or subsection (3) of this section remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.”

3. Trial of action where claim reduced—Section 2 of the Judicature Amendment Act (No. 2) 1955 (as amended by section 4 of the Judicature Amendment Act 1960 and by section 8 of the Judicature Amendment Act 1961) is hereby amended by inserting, after subsection (3), the following subsection:

“(3A) Notwithstanding anything in subsection (3) of this section, in any case where a claim is reduced after notice has been given pursuant to subsection (2) of this section but before the trial of the action has commenced then the action shall be tried—

“(a) Before a Judge alone if (after the reduction) the debt or damages or the value of the chattels claimed does not exceed \$100:

“(b) Before a Judge and a jury of 4 persons if (after the reduction) the debt or damages or the value of the chattels exceeds \$100 but does not exceed \$1,000:

“Provided that if a consent to trial before a Judge alone signed by all the parties is filed in Court not less than 7 days before the date of the fixture for the hearing of the action, the action shall be tried accordingly.”

This Act is administered in the Department of Justice.
