



ANALYSIS

Title

1. Short Title and commencement
2. New heading and section inserted

*Continued Exercise of Powers by
Judicial Officers*

- 88A. Judicial officers to continue in office to complete proceedings

1999, No. 87

An Act to amend the Judicature Act 1908

[3 August 1999]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Judicature Amendment Act (No. 2) 1999, and is part of the Judicature Act 1908 (“the principal Act”).

(2) This Act comes into force on 1 November 1999.

2. New heading and section inserted—The principal Act is amended by inserting, after section 88, the following heading and section:

“Continued Exercise of Powers by Judicial Officers

“88A. Judicial officers to continue in office to complete proceedings—(1) A judicial officer whose term of office has expired or who has retired may continue in office for the purpose of determining, or giving judgment in, proceedings that the judicial officer has heard either alone or with others.

“(2) A judicial officer must not continue in office under subsection (1) for longer than a month without the consent of the Minister of Justice.

“(3) The fact that a judicial officer continues in office does not affect the power to appoint another person to that office.

“(4) A judicial officer who continues in office is entitled to be paid the remuneration and allowances to which the officer would have been entitled if the term of office had not expired or the officer had not retired.

“(5) In this section, ‘judicial officer’ means a person who has in New Zealand authority under an enactment to hear, receive, and examine evidence.

Cf. 1924, No. 11, s. 25A; 1973, No. 46, s. 2; 1994, No. 22, s. 3”

This Act is administered in the Ministry of Justice and the Department for Courts.
