

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

Legislative Council,
20th October, 1910.

Hon. Dr. Findlay.

JUDICATURE AMENDMENT.

ANALYSIS.

Title.	
1. Short Title.	4. Court or Judge to have discretion in cases coming within paragraphs (c) and (d) of section 3 of the Imprisonment for Debt Limitation Act, 1908.
2. Powers of Registrars, where more than one Registrar in same district.	
3. Execution of instruments by order of the Supreme Court. Not to apply retrospectively.	

A BILL INTITULED

AN ACT to amend the Judicature Act, 1908.

Title.

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

1. This Act may be cited as the Judicature Amendment Act, 1910, and shall form part of and be read together with the Judicature Act, 1908.

Short Title.

2. Where in any Act or regulations heretofore or hereafter passed or made any reference is made to the Registrar of the Supreme Court appointed or acting for or in any Supreme Court district, land registration district, or other district, and where there are two or more such Registrars appointed or acting for or in that district, every such reference shall, unless a contrary intention appears in the Act or regulations, be construed as being a reference to each of those Registrars, and all powers and functions so purporting to be conferred on the Registrar of the Supreme Court in and for that district shall be deemed to be and at all times to have been conferred on and exercisable by any one of those Registrars accordingly.

Powers of Registrars, where more than one Registrar in same district.

3. (1.) Where any person neglects or refuses to comply with a judgment or order of the Supreme Court or Court of Appeal directing him to execute any conveyance, contract, or other document, or to indorse any negotiable instrument, the Supreme Court may, on such terms and conditions (if any) as may be just, order that such conveyance, contract, or other document shall be executed or that such negotiable instrument shall be indorsed by such person as the Supreme Court may nominate for that purpose; and in such case the conveyance, contract, document, or instrument so executed or indorsed shall operate and be for all purposes available as if it had been executed or indorsed by the person originally directed to execute or indorse it.

Execution of instruments by order of the Supreme Court.

Not to apply
retrospectively.

Court or Judge to
have discretion in
cases coming within
paragraphs (c) and
(d) of section 3 of
the Imprisonment
for Debt Limitation
Act, 1908.

(2.) This section shall not affect any action or other proceeding already commenced in any Court, or invalidate anything heretofore lawfully done, or validate anything already declared to be invalid in any proceedings heretofore taken in any Court.

4. In any case coming within the exceptions specified in paragraphs (c) and (d) of section three of the Imprisonment for Debt Limitation Act, 1908, or within either of those exceptions, any Court or Judge making the order for payment, or having jurisdiction in the action or proceeding in which the order for payment is made, may inquire into the case, and (subject to the provisoes contained in the said section three) may grant or refuse, either absolutely or upon terms, any application for a writ of attachment, or other process or order of arrest or imprisonment, and any application to stay the operation of any such writ, process, or order, or for discharge from arrest or imprisonment thereunder.

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