

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,
28th July, 1893.*

Hon. Sir P. A. Buckley.

**SUPREME COURT PRACTICE AND PROCEDURE ACTS
AMENDMENT.**

ANALYSIS.

- Title.
- 1. Short Title.
- 2. Interpretation.

- 3. Registrar of Supreme Court may act for Judge in certain cases.
- 4. Registrar may sit at Chambers.
- 5. Repeal. Saving of powers heretofore granted to Registrars.

A BILL INTITULED

AN ACT to confer certain Powers on Registrars of the Supreme Court in certain Cases. Title.

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

1. The Short Title of this Act is "The Supreme Court Practice and Procedure Acts Amendment Act, 1893." Short title.

2. In this Act,—
10 "District" means a Supreme Court district constituted under "The Supreme Court Act, 1882": Interpretation.
"Judge" means a Judge of the Supreme Court.

3. The Governor from time to time, by Proclamation, gazetted, may declare that— Registrar of Supreme Court may act for Judge in certain cases.

15 (1.) In any district not having a Judge of the Supreme Court resident within such district any Registrar of the said Court for such district, or any part thereof, may act for any Judge of such district, with all the jurisdiction, power, and authority of such Judge, except as hereinafter mentioned; or that

20 (2.) In any portion of any district as aforesaid to be specified in the Proclamation, not having a Judge of the Supreme Court resident within such portion, any Registrar of the said Court for such district for the time being located at any place within such portion of the district may within
25 such portion act for any Judge of such district, with all the jurisdiction, powers, and authority of such Judge, except as hereinafter mentioned; or that

(3.) At any place in any district where a Judge of the Supreme Court usually resides any Registrar of the said Court for such district may act for such Judge in the case of his absence from the said place, with all the jurisdiction, power, and authority of such Judge, except as hereinafter mentioned. 5

And the Governor may at any time alter or revoke any such Proclamation, either wholly or in part, as to any Registrar or as to the limits of the district wherein he shall exercise the functions conferred by this Act. 10

Registrar may sit at Chambers.

4. Every such Registrar shall sit at Chambers for despatch of such business as he is authorised to carry out by the provisions of this Act, and, while so sitting, shall have the same power and jurisdiction as a Judge of the Supreme Court at Chambers would have, save and except the jurisdiction a Judge may exercise in Chambers as if he were in Court; and any order made by any such Registrar shall be equivalent to and shall have the same force and effect as if the same had been made by a Judge of the said Court for such district sitting at Chambers: Provided that no such Registrar shall have power to make any order of Court, or to commit any person to prison, except pursuant to the provisions of "The Imprisonment for Debt Abolition Act, 1874," or of any Act amending the same: and provided further that any party dissatisfied with any order or decision made by a Registrar may appeal to a Judge in Chambers against such order or decision. 15 20 25

Repeal.
Saving of powers heretofore granted to Registrars.

5. The Acts and parts of the Act enumerated in the Schedule hereto are hereby repealed. 25

But this repeal shall not affect any appointments heretofore made thereunder respectively; and the Registrars of the Supreme Court for the Districts of Nelson and Westland respectively, and the Registrars of the Supreme Court located at New Plymouth and Napier respectively, shall continue to exercise their functions within the districts appointed for them under the enactments hereby repealed, or either of them, as if they had been appointed to exercise such functions by Proclamation of the Governor under this Act; subject always to the foregoing power of the Governor under this Act from time to time to revoke, limit, or alter the jurisdiction of any or every such Registrar. 30 35

SCHEDULE.

ENACTMENTS REPEALED.

- 1881, No. 29.—The Supreme Court Practice and Procedure Amendment Act, 1881.
1884, No. 23.—The Supreme Court Practice and Procedure Amendment Act, 1884. *In part—namely*, section two and the Schedule.
1891, No. 34.—The Supreme Court Practice and Procedure Acts Amendment Act, 1891.