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*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,  
24th October, 1907.*

*Hon. Dr. Findlay.*

## SUPREME COURT PRACTICE AND PROCEDURE ACTS AMENDMENT.

### ANALYSIS.

Title.  
Preamble.  
1. Short Title.

2. Validation of certain orders made by Registrars of Supreme Court.
3. Act not to affect actions already commenced.
4. Judge may declare orders invalid.

### A BILL INTITULED

AN ACT to validate Orders made by Registrars of the Supreme Court in certain Cases. Title.

WHEREAS by virtue of the Supreme Court Practice and Procedure Amendment Act, 1881, the Supreme Court Practice and Procedure Amendment Act, 1884, the Supreme Court Practice and Procedure Acts Amendment Act, 1891, and the Supreme Court Practice and Procedure Acts Amendment Act, 1893, certain Registrars of the Supreme Court have been empowered in certain cases to act in the place of a Judge of the Supreme Court: And whereas doubts have arisen as to the validity of certain orders made and other things done by such Registrars: Preamble.

BE IT THEREFORE 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 Supreme Court Practice and Procedure Acts Amendment Act, 1907. Short Title.

2. All orders heretofore made and all things heretofore done by any Registrar of the Supreme Court, and purporting or intended to be made or done under the authority of the above-mentioned Acts or any of them, are hereby declared to be as valid as if the same had been made or done by the Supreme Court or a Judge thereof. Validation of certain orders made by Registrars of Supreme Court.

3. This Act 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 hereinbefore taken in any Court. Act not to affect actions already commenced.

4. (1.) Nothing hereinbefore contained shall apply to any order unlawfully so made or thing unlawfully so done by any such Registrar, if such order or thing is declared to be invalid by the Judge may declare orders invalid.

2 *Supreme Court Practice and Procedure Acts Amendment.*

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Supreme Court or any Judge thereof in any action or other proceeding hereafter instituted within six months after the passing of this Act.

(2.) In any such order or proceeding the said Court or a Judge thereof shall have an absolute discretion either to declare such order or thing to be invalid, or to make an order validating the same as 5 from the time at which it was so made or done by such Registrar, and the same shall thereupon be deemed to be invalid or valid accordingly.

(3.) No trustee, executor, or administrator under any deed, will, or intestacy who has acted *bona fide* on reliance on the validity of 10 any such order shall be prejudicially affected by any such declaration, and no other person who has so acted shall be prejudicially affected unless the said Court or Judge shall otherwise expressly direct.