



SUPREME COURT CIVIL PROCEDURE AMENDMENT ACT 1982

No. 34 of 1982

TABLE OF PROVISIONS

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Short title.
2. Principal Act.
3. Amendment of section 19 of Principal Act (Power of judges to sit at any time and place). | 4. Amendment of section 20 of Principal Act (Sittings of Full Court).
5. Repeal of section 6 of the <i>Supreme Court Act 1959</i> (Sittings of the Court). |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|



AN ACT to amend the Supreme Court Civil Procedure Act 1932 for the purpose of providing that sittings of the Full Court and other proceedings may be held simultaneously, and for related purposes, and to repeal section 6 of the Supreme Court Act 1959.

[Royal Assent 14 October 1982]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Supreme Court Civil Procedure Amendment Act 1982*. Short title.

2—In this Act, the *Supreme Court Civil Procedure Act 1932** is Principal Act referred to as the Principal Act.

* 23 Geo. V No. 58. For this Act, as amended to 1st September 1977, see the continuing Reprint of Statutes. Subsequently amended by No. 52 of 1979.

Amendment of
section 19 of
Principal Act
(Power of
judges to sit
at any time
and place).

3—(1) Section 19 (1) of the Principal Act is amended by inserting “, whether in term or vacation or not,” after “ any time ”.

(2) Section 19 of the Principal Act is further amended by omitting subsection (2) and substituting the following subsection:—

(2) Subject to the provisions of this Act and of any directions given under this Act, the jurisdiction of the Court (other than its criminal jurisdiction) may be exercised so that—

(a) any 2 or more judges can sit at the same time and in the same place as one court or as separate courts, or at the same time in different places as separate courts; and

(b) sittings in that jurisdiction can be held at the same time as a sitting of the Full Court, the Court of Criminal Appeal, or the Supreme Court exercising its criminal jurisdiction.

Amendment of
section 20 of
Principal Act
(Sittings of
Full Court).

4—Section 20 of the Principal Act is amended by inserting the following subsection after subsection (4):—

(4A) Subject to this section, the jurisdiction of the Full Court may be exercised so that—

(a) sittings in that jurisdiction may be held at the same time and in the same place as one court or as separate courts, or at the same time and in different places as separate courts; and

(b) sittings in that jurisdiction may be held at the same time as a sitting of the Court of Criminal Appeal or of a judge or judges exercising the criminal or other jurisdiction of the Supreme Court (when not sitting as the Full Court or Court of Criminal Appeal).

5—Section 6 of the *Supreme Court Act 1959*† is repealed.

Repeal of
section 6 of
the *Supreme
Court Act
1959* (Sittings
of the Court).

† No. 41 of 1959. For this Act, as amended to 1st June 1979, see the continuing Reprint of Statutes.
Subsequently amended by No. 48 of 1979.

