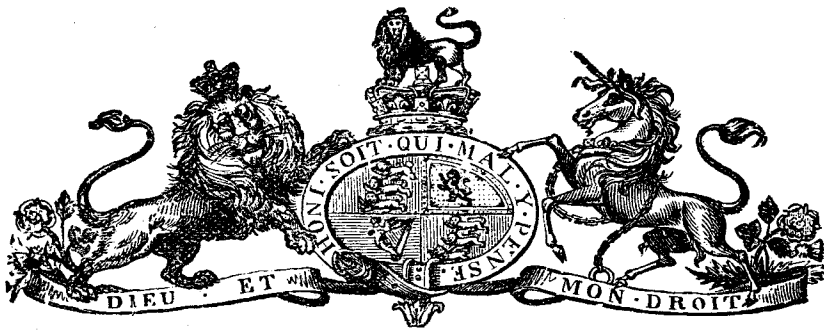


TASMANIA



1896.

ANNO SEXAGESIMO

VICTORIÆ REGINÆ,

No. 17.

AN ACT to better provide for the Enforcement of Judicial Orders, and for other purposes. [23 October, 1896.] A.D. 1896.

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 Enforcement of Judicial Orders Act, 1896.” Short title.

2 In this Act—

Interpretation.

“Action” shall mean any action, suit, or other proceeding in which relief is sought by one person against another, and includes proceedings under or by virtue of any Act or Acts relating to Matrimonial Causes, Bankruptcy, or the Recovery of Small Debts :

“The Court” shall mean the Supreme Court of Tasmania, and every Court established under any of the provisions of “The Small Debts Act, 1887,” and every Court held by any Commissioner of Mines under the authority of “The Mining Act, 1893” :

“Judge” shall mean and include any Judge of the Supreme Court, any Commissioner appointed under any Act relating to Mines and Mining, or any Commissioner of a Court established under and by virtue of “The Small Debts

Enforcement of Judicial Orders.

A.D. 1896.

Act, 1887," and the Chairman of any Court of General Sessions of the Peace appointed a Court for the recovery of debts and demands under the last-mentioned Act:

"Person" includes a Corporation.

Order enforceable as a Judgment.

3 Every Order or Rule of the Supreme Court or the Order of any Judge in any action whereby any sums of money, or any costs, charges, or expenses shall be payable to any person, may be enforced against all persons bound thereby in the same manner as a Judgment or Decree to the same effect delivered or made by the same Court or Judge in any action.

Order of a Judge to have the effect of a Rule of Court.

4 Any Order of a Judge of the Supreme Court shall be deemed to be and shall have the same effect as a Rule of Court.

Officer of a Corporation may be orally examined.

5 It shall be lawful for any person who has obtained a Judgment or Order for the recovery or payment of money against a Corporation to apply to the Court or a Judge for a Rule or Order that any Officer of such Corporation shall be orally examined as to any and what debts are owing to such Corporation, and as to whether such Corporation has any other and what means of satisfying such Judgment or Order, before a Judge or a Commissioner of the Court, or such other person as the Court or Judge shall appoint. And the Court or Judge may make such Rule or Order for the examination of such officer, and for the production of any books or documents. And the examination shall be conducted in the same manner as in the case of an oral examination of an opposite party under *The Common Law Procedure Act, No. 2.*

Costs to be in the discretion of Court.

6 The costs of any application under the last Section and of any proceedings arising from or incidental thereto shall be in the discretion of the Court or a Judge.

Affidavits of service may be sworn before a Justice of the Peace.

7 Notwithstanding anything to the contrary contained in any Act or in the Rules thereto, any affidavit of the service in *Tasmania* of any process or other document to be hereafter issued out of any Court, and heretofore required to be taken before a Commissioner of the Supreme Court, may be taken before a Justice of the Peace.