

Judicature Amendment Act 1977

Public Act 1977 No 32
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An Act to amend the Judicature Act 1908

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

1 Short Title

This Act may be cited as the Judicature Amendment Act 1977, and shall be read together with and deemed part of the Judicature Act 1908 (hereinafter referred to as the principal Act).

2

Section 2 was repealed, as from 11 October 1978, by section 2(2) Judicature Amendment Act 1978 (1978 No 55).

3

Section 3 was repealed, as from 6 November 1986, by section 9 Judicature Amendment Act 1986 (1986 No 93).

4 Order of subpoena

(1)

(2)

(3)

(4) Every reference to a writ of subpoena in any other Act or in any regulation, rule, bylaw, order, or other enactment, or in any deed, instrument, notice, or other document whatsoever shall hereafter be read as a reference to an order of subpoena.

(5) This section shall come into force on a date to be fixed by the Governor-General by Order in Council.

Subsection 3 was repealed, as from 14 October 1981, by section 5(2)(c) Judicature Amendment Act 1981 (1981 No 40).

5

Section 5 was repealed, as from 13 December 1979, by section 7(3) Judicature Amendment Act 1979 (1979 No 124).

6

Section 6 was repealed, as from 13 December 1979, by section 8(2)(c) Judicature Amendment Act 1979 (1979 No 124).

7

Section 7 was repealed, as from 1 August 1998, by section 6(a) Judicature Amendment Act 1998 (1998 No 52). *See* clause 2 Judicature Amendment Act Commencement Order (No 2) 1998 (SR 1998/184).

8**9 Juries of 4 abolished**

- (1) This subsection inserted sections 19A and 19B in the principal Act.
- (2)
- (3)
- (4)
- (5)
- (6) The following enactments are hereby consequentially repealed:
 - (a) The Judicature Amendment Act (No 2) 1955:
 - (b) Section 4 of the Judicature Amendment Act 1960:
 - (c) Section 8 of the Judicature Amendment Act 1961:
 - (d) Section 3 of the Judicature Amendment Act (No 2) 1973:
 - (e) Section 3 of the Judicature Amendment Act 1974.

Subsections (2) to (5) were repealed, as from 6 November 1986, by section 9 Judicature Amendment Act 1986 (1986 No 93).

Amendments of Judicature Amendment Act 1972

10 Interpretation

- (1) This subsection amended the definition of the term **statutory power** in section 3 of the Judicature Amendment Act 1972.
- (2) This subsection amended para (d) and added para (e) to the definition of the term **statutory power** in section 3 of the Judicature Amendment Act 1972.
- (3) This subsection amended the definition of the term **statutory power of decision** in section 3 of the Judicature Amendment Act 1972.

11 Application for review

- (1) This subsection inserted section 4(2A) in the Judicature Amendment Act 1972.
- (2) This subsection amended section 4(5) Judicature Amendment Act 1972.

- (3) This subsection inserted subsections (5A), (5B), and (5C) in section 4 of the Judicature Amendment Act 1972.

12 Interim orders

This section substituted section 8 of the Judicature Amendment Act 1972.

13 Procedure

- (1) This subsection substituted section 9 of the Judicature Amendment Act 1972.
- (2)
- (a) This paragraph amended section 4(1) Judicature Amendment Act 1972.
- (b) This paragraph repealed section 12 Judicature Amendment Act 1972.

14 Powers of Judge to call conference and give directions

This section substituted section 10 Judicature Amendment Act 1972.

15 Meaning of convicted on indictment in Crimes Act amended

- (1) This subsection amended section 3(c) Crimes Act 1961 (reprinted 1979, RS Vol 1, p 645).
- (2) This section shall be deemed to have come into force on the 1st day of May 1977 (being the date of the commencement of section 153A of the Summary Proceedings Act 1957).