

SUPREME COURT ORDINANCE REPEAL ORDINANCE 1965

14

No. 42 of 1965

An Ordinance to repeal the *Supreme Court Ordinance* 1911-1960 and the *Supreme Court of North Australia Ordinance* 1929, and for other purposes

[Assented to 12th November, 1965.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1962, as follows:—

1. This Ordinance may be cited as the *Supreme Court Ordinance Repeal Ordinance* 1965. Short title.

2.—(1.) The Ordinances specified in the First Schedule to this Ordinance are repealed. Repeal.

(2.) Such provisions of the State Acts of the State of South Australia specified in the Second Schedule to this Ordinance as are in force in the Northern Territory as laws of the Northern Territory cease to apply to the Northern Territory as laws of the Northern Territory.

3.—(1.) Subject to the next succeeding sub-section, sub-sections (1.) and (2.) of the last preceding section shall not affect— Saving.

- (a) the continued operation of any principle or rule of law;
- (b) the continued exercise of any established jurisdiction; or
- (c) the continued operation of any rule of practice or procedure,

in existence in the Northern Territory immediately before the commencement of this Ordinance, whether or not that principle or rule of law, that jurisdiction or that rule of practice or procedure was affirmed by or derived from an Ordinance or State Act mentioned in either of those sub-sections.

(2.) The last preceding sub-section shall not be read as an express provision of an Ordinance for the purposes of section nineteen of the *Northern Territory Supreme Court Act 1961*.

THE SCHEDULES.

Section 2.

FIRST SCHEDULE

Supreme Court Ordinance 1911;
Supreme Court Ordinance 1912;
Supreme Court Ordinance 1918 (Ordinance No. 1, 1918);
Supreme Court Ordinance 1918 (Ordinance No. 12, 1918);
Supreme Court Ordinance 1919;
Supreme Court Ordinance (No. 2) 1919;
Supreme Court Ordinance 1920;
Supreme Court Ordinance 1921;
Supreme Court Ordinance (No. 2) 1921;
Supreme Court Ordinance 1922;
Supreme Court Ordinance (No. 2) 1922;
Supreme Court Ordinance 1927;
Supreme Court Ordinance (No. 2) 1927;
Supreme Court of North Australia Ordinance 1929;
Supreme Court Ordinance 1931;
Supreme Court Ordinance 1933;
Supreme Court Ordinance (No. 2) 1933;
Supreme Court Ordinance 1934;
Supreme Court Ordinance 1936;
Supreme Court Ordinance 1953;
Supreme Court Ordinance 1954;
Supreme Court Ordinance 1960.

SECOND SCHEDULE

Section 2

ACTS OF THE STATE OF SOUTH AUSTRALIA WHICH CEASE TO APPLY TO THE NORTHERN TERRITORY

Number and Year of Act	Title or Short Title of Act
9 of 1845	An Ordinance for adopting in South Australia certain parts of an Act made and passed in the Imperial Parliament which was held in the First and Second Years of the Reign of Her present Majesty, intituled "An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain cases; for extending the remedies of Creditors against the property of Debtors; and for amending the Laws for the relief of Insolvent Debtors in England
14 of 1845	An Ordinance to provide for the Performance of certain matters in the Supreme Court, during the occasional absence of the Judge, at a distance from Adelaide
5 of 1853	Supreme Court Procedure Amendment Act
6 of 1853	An Act to give relief to Persons having Claims against the Local Government of South Australia, by authorizing them to try the validity of such Claims in a Court of Law or Equity
24 of 1855-6	The Supreme Court Procedure Act, 1855
30 of 1855-6	An Act to facilitate Actions against Persons absent from the Colony, and against Persons sued as Joint Contractors
31 of 1855-6	An Act to consolidate the several Ordinances relating to the Establishment of the Supreme Court of the Province of South Australia

ACTS OF THE STATE OF SOUTH AUSTRALIA WHICH CEASE
TO APPLY TO THE NORTHERN TERRITORY—*continued.*

Number and Year of Act	Title or Short Title of Act
4 of 1858	The Summary Procedure on Bills of Exchange Act, 1858
5 of 1858	Supreme Court Procedure further Amendment Act of 1858
5 of 1861	An Act to amend the Laws regulating the Court of Appeals of the Province of South Australia, and to extend the powers thereof
3 of 1862	The Common Law Procedure Act, 1862
15 of 1865	The Court of Appeals Amendment Act, 1865
12 of 1865-6	An Act to provide for the more speedy administration of Justice, by means of the Supreme Court
2 of 1866	An Act to protect certain persons from Actions by reason of their being elected to Parliament while Members of the Court of Appeals
7 of 1866	An Act to regulate and amend the Practice and Procedure of the Supreme Court of the Province of South Australia in its Revenue Jurisdiction
20 of 1866-7	The Equity Act, 1866
8 of 1867	Supreme Court Act, 1867
7 of 1868-9	An Act to amend the "Supreme Court Act, 1867"
23 of 1870-71	An Act to fix the Tenure of Office of the Primary Judge in Equity, and to provide for the Performance of the Duties of the Office of Primary Judge in Equity in certain cases
6 of 1874	An Act to further amend the "Supreme Court Act, 1867."
116 of 1878	Supreme Court Act, 1878
120 of 1878	An Act to amend "The Equity Act, 1866"
514 of 1891	The Suitors Unclaimed Funds Act, 1891.