

Common Law Practice Act Amendment Act. 6 GEO. V. No. 22,

Queensland may, with the approval of such association or body, pay over to the Chief Secretary the moneys standing to the credit of such fund in Queensland and for the administration thereof thereafter by the Chief Secretary under this Act for the same purposes and subject to the like directions.

(3.) The regulations may prohibit or restrict the soliciting by any person of any contributions or aid in connection with the present War except with the authority of the Chief Secretary.

(4.) The regulations may provide a penalty not exceeding twenty pounds for any contravention thereof to be recovered in a summary way by complaint under "*The Justices Acts, 1885 to 1909.*"*

(5.) All such regulations upon publication in the *Gazette* shall be read as one with this Act and be of equal validity, and shall be judicially noticed.

(6.) Such regulations shall be laid before both Houses of Parliament within fourteen days after such publication, if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session.

(7.) If either House of Parliament passes a resolution disallowing any such regulation, of which resolution notice has been given at any time within fourteen sitting days of such House after such regulation has been laid before it, such regulation shall thereupon cease to have effect, but without prejudice to the validity of anything done in the meantime.

PETROLEUM.

See MINING.

PRACTICE.

6 Geo. V.
No. 22.

THE
COMMON
LAW
PRACTICE
ACT

AMENDMENT
ACT OF 1915.

An Act to Amend the "Common Law Practice Act of 1867" in regard to Actions for Compensation of the Families of Persons Killed by Accident.

[ASSENTED TO 14TH DECEMBER, 1915.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as "*The Common Law Practice Act Amendment Act of 1915.*"

* 50 Vic. No. 17 and amending Acts, *supra*, pages 1132 *et seq.*

1915.

Common Law Practice Act Amendment Act.

2. After section fifteen of the "*Common Law Practice Act of 1867*,"* the following sections are inserted:—

[15A.] If it happens in any case intended and provided for by the four last preceding sections hereof that there is no personal representative of such deceased person, or if, although there is such personal representative, no such action is brought by and in the name of the personal representative within six months after the death of such deceased person, then such action may be brought by and in the name or names of all or any of the persons (if more than one) for whose benefit such action would have been, if it had been brought by and in the name of the personal representative.

Where no action brought within six months by executor, then action may be brought by persons beneficially interested. 27 & 28 Vict. c. 95, s. 1.

Every such action so brought shall be for the benefit of the same person or persons, and shall be subject to the same rules and procedure, as nearly as may be, as if it were brought by and in the name of the personal representative.

In this section the expression "personal representative" means and includes the executor or administrator of the deceased person.

[15B.] It shall be sufficient, if the defendant is advised to pay money into court, that he pays it as a compensation in one sum to all persons entitled under the foregoing provisions for his wrongful act, neglect, or default, without specifying the shares into which it is to be divided by the jury. If the said sum is not accepted, and an issue is raised by the plaintiff as to its sufficiency, and the jury think the same sufficient, the defendant shall be entitled to the verdict upon that issue.

Payment into court in one sum. 27 & 28 Vict. c. 95, s. 2.

[15C.] In assessing damages in any such action, whether commenced before or after the first day of October, one thousand nine hundred and fifteen, there shall not be taken into account any sum paid or payable on the death of the deceased under any contract of assurance or insurance, whether made before or after that date.

Exclusion of payments by insurers in assessment of damages. 8 Edw. 7 c. 7, s. 1.

PRICES, REGULATION OF SUGAR CANE.

See SUGAR.

PRICES BOARDS, CONFIRMATION OF LOCAL SUGAR CANE.

See SUGAR.

PROBATE DUTIES

See SUCCESSION.

* 31 Vic. No. 17, *supra*, page 2345.