

VICTORIA.



ANNO TERTIO

GEORGII QUINTI REGIS.

No. 2437.

An Act to further amend the *Supreme Court Act 1890.*

[31st December, 1912.]

BE it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):--

1. This Act may be cited as the *Supreme Court Act 1912*, and shall be construed as one with the *Supreme Court Act 1890*, which Act and any Acts amending the same and this Act may be cited together as the *Supreme Court Acts*.

Short title and construction.
Nos. 1142, 1392, 1696.

2. The power to make rules conferred by the *Supreme Court Acts* shall include power to make rules for regulating the procedure for the service on any person in Victoria of any process or citation where in any civil matter pending before a Court or tribunal of a foreign country a letter of request from such Court or tribunal for service of any process or citation on any person in Victoria in such matter is transmitted to the Supreme Court by the Attorney-General of Victoria with an intimation that it is desirable that effect should be given to the same.

Power of Supreme Court to make rules regulating the service in Victoria of process issuing out of foreign courts.

3. Notwithstanding anything contained in any Act of the Parliament of Victoria or any Rules made in pursuance of any such Act the Supreme Court consisting of three Judges of whom the Chief Justice shall be one may where under special circumstances it shall in its

Provision for admission of certain managing clerks to practise as barristers and solicitors.

its absolute discretion see fit so to do with reference to any person who shall within one year after the passing of this Act (after giving one calendar month's notice to the Secretary of the Law Institute of Victoria of his intention to apply) satisfy the said Court that he has before the commencement of this Act served for ten years in Victoria as a managing clerk to some practising barrister and solicitor or barristers and solicitors and has been for such period of ten years *bond fide* engaged under his or their direction and supervision in the transaction and management of such matters of business as are usually transacted by barristers and solicitors order that such person shall upon passing the examination hereinafter provided for be entitled to admission to practise as a barrister and solicitor for the Supreme Court without entering into or serving under articles of clerkship and without passing any examination or examinations other than such examination as aforesaid but subject nevertheless to the compliance in all other respects by such person with the Rules for the time being in force in relation to the admission of barristers and solicitors.

Examination for certain managing clerks before admission to practise as barristers and solicitors.

4. Any person who shall obtain an order under the provisions of the last preceding section hereof must before he apply for admission to practise as a barrister and solicitor of the Supreme Court submit to be examined in manner prescribed by Rules made by the Judges of the Supreme Court and must pass in the following subjects :—

1. Law of Property in Land and Conveyancing.
2. Law of Contract and Personal Property.
3. Administrative Law.
4. Equity.
5. Law of Wrongs (Civil and Criminal).
6. Law of Procedure and Evidence.
7. Constitution of the Commonwealth of Australia.

Such examination may be passed in such subjects at any one examination or at more than one examination but so that the person examined shall pass in at least two of the said subjects at any one examination. And such examination or examinations shall be held at such times and on payment of such fees as the Judges of the Supreme Court or a majority of them may from time to time prescribe or direct under Rules to be made by them from time to time which Rules the said Judges or a majority of them are hereby authorized and empowered to make.

Any person admitted and entitled to practise as a barrister or solicitor of the Supreme Court of New Zealand and who has been in the employment of a practising barrister and solicitor of the Supreme Court of Victoria for five years immediately preceding his application shall upon payment of the prescribed fee be entitled to be admitted to practise as a barrister and solicitor of the Supreme Court of Victoria upon

upon passing or having passed in the following subjects, or such of them as are for the time being prescribed for the admission of Victorian candidates applying for admission as barristers and solicitors, namely, Administrative Law, Constitutional History and Law, Parts II. and III., Private International Law, and the Law of Jurisprudence (including Roman Law).

5. In section eighty-four of the *Supreme Court Act* 1890 the words "twenty years" wherever occurring are hereby repealed and in the place thereof in each case the following words shall be inserted :— "fifteen years, or in the case of an action for arrears of rent or interest six years."

Amendment of section 84 of the *Supreme Court Act* 1890.

In the same section the words "on account of the principal or interest due thereon" are hereby repealed.

See *Real Property Act* 1907 s. 4.

MELBOURNE:

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