

## JUDICATURE AMENDMENT BILL

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### EXPLANATORY NOTE

THIS Bill amends the Judicature Act 1908.

*Clause 1* relates to the Short Title.

*Clause 2* provides that a Judge of the Supreme Court may be appointed as an additional Judge of the Court of Appeal if there is a vacancy on the Court of Appeal or a Judge of that Court is on leave preliminary to retirement. Such an appointment will be for a specified period, not exceeding 12 months, or until the vacancy is sooner filled.

*Hon. Dr Finlay*

## JUDICATURE AMENDMENT

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### ANALYSIS

Title  
1. Short Title

| 2. Appointment of additional Judge of  
Court of Appeal

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### A BILL INTITULED

#### 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,  
5 as follows:

**1. Short Title**—This Act may be cited as the Judicature  
Amendment Act 1973, and shall be read together with and  
deemed part of the Judicature Act 1908\* (hereinafter  
referred to as the principal Act).

10 **2. Appointment of additional Judge of Court of Appeal**—  
Section 58 of the principal Act (as substituted by section 3  
of the Judicature Amendment Act 1957) is hereby amended  
by inserting, after subsection (1), the following subsection:  
15 “(1A) At any time while there is a vacancy in the office  
of any Judge of the Court of Appeal or while any Judge  
of that Court is on leave preliminary to retirement, the

\*1957 Reprint, Vol. 6, p. 699

Amendments: 1958, No. 40; 1960, No. 109; 1961, No. 11; 1963, No. 133; 1965,  
No. 62; 1966, No. 67; 1968, No. 18; 1968, No. 59; 1969, No. 86; 1970,  
No. 72; 1972, No. 130

Governor-General may appoint some other Judge of the Supreme Court to hold office as an additional Judge of the Court of Appeal. Subject to subsection (5) of section 57 of this Act, every Judge so appointed shall hold that office for such period, not exceeding 12 months, as is specified in the appointment or until the vacancy is filled by an appointment under the said section 57, whichever period is the shorter.” 5