

SUPREME COURT CIVIL PROCEDURE.

No. 36 of 1965.

AN ACT to amend the *Supreme Court Civil Procedure Act 1932*. [10 November 1965.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title, citation, and commencement.

1—(1) This Act may be cited as the *Supreme Court Civil Procedure Act 1965*.

(2) The *Supreme Court Civil Procedure Act 1932*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a date to be fixed by proclamation.

Costs where action might have been brought in an inferior court.

2 Section thirteen of the Principal Act is amended by omitting from subsection (1) the words “a sum not exceeding two hundred and fifty pounds if the action is founded on a contract, or one hundred pounds if it is founded on tort,” and substituting therefor the words “a sum not exceeding four hundred and fifty pounds in respect of a claim for a debt or liquidated sum, or three hundred pounds in any other case.”.

Transfer of actions to inferior courts.

3 Section twenty-eight of the Principal Act is amended—

- (a) by omitting from paragraph I of subsection (1) the words “two hundred and fifty pounds” (first occurring) and substituting therefor the words “seven hundred and fifty pounds, in the case of a claim for a debt or liquidated sum, or five hundred pounds in any other case”;
- (b) by omitting from that paragraph the words “two hundred and fifty pounds” (second occurring) and substituting therefor the words “either of those sums”;
- (c) by omitting from paragraph II of that subsection the words “two hundred and fifty pounds” and substituting therefor the words “seven hundred and fifty pounds, if the counter-claim is for a debt or liquidated sum, or five hundred pounds in any other case”; and
- (d) by omitting from subsection (3) of that section the words “two hundred and fifty pounds” and substituting therefor the words “seven hundred and fifty pounds”.

4—(1) On and after the date of the reprinting of the Principal Act this Act is to have effect as if from section three the symbols “ I ” and “ II ” were omitted and the symbols “ (a) ” and “ (b) ” were respectively substituted therefor, and the Principal Act, as amended by this Act, shall be construed accordingly.

Adaptation of amendments to reprint of Principal Act.

(2) The Principal Act and this Act are, by force of this section, amended to such extent as may be necessary to give effect to the foregoing provisions of this section.

(3) In this section, “ date of the reprinting of the Principal Act ” means the date of the giving of the certificate printed pursuant to section six of the *Reprint of Statutes Act 1954* in the volume of reprinted Acts published pursuant to that Act in which the reprint of the Principal Act is included.

(4) Section six of the *Supreme Court Civil Procedure Act 1963* has effect, and shall be deemed always to have had effect, as if in paragraph (a) of subsection (1) thereof the symbol “ (i) ” were substituted for the symbol “ (i) ”.

CONVEYANCING AND LAW OF PROPERTY.

No. 37 of 1965.

AN ACT to amend the *Conveyancing and Law of Property Act 1884*. [10 November 1965.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Conveyancing and Law of Property Act 1965*.

Short title and citation.

(2) The *Conveyancing and Law of Property Act 1884*, as subsequently amended, is in this Act referred to as the Principal Act.