



SUPREME COURT AMENDMENT ACT (No. 2) 1984

No. 102 of 1984

TABLE OF PROVISIONS

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Short title.</p> <p>2. Commencement.</p> <p>3. Principal Act.</p> <p>4. Amendment of section 3 of Principal Act (Interpretation).</p> | <p>5. Insertion in Principal Act of new section 4A.
4A—Power to appoint Acting Master.</p> <p>6. Validation of certain acts, &c., of Registrar purporting to have acted as Master.</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

AN ACT to amend the Supreme Court Act 1959.

[Royal Assent 12 December 1984]

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—This Act may be cited as the *Supreme Court Amendment Act* Short title. (No. 2) 1984.

2—This Act shall commence on the day on which it receives the royal assent. Commencement.

Principal Act.

3—In this Act, the *Supreme Court Act 1959** is referred to as the Principal Act.

Amendment of section 3 of Principal Act (Interpretation).

4—Section 3 of the Principal Act is amended by inserting after “ Justice ” in the definition of “ Master ” “ and includes an Acting Master ”.

Insertion in Principal Act of new section 4A.

5—After section 4 of the Principal Act, the following section is inserted:—

Power to appoint Acting Master.

4A—(1) Where for any reason the Master is unable to perform the duties or functions of his office, either generally or in respect of a particular matter or class of matters, the Governor may appoint a person who is a barrister of at least 5 years’ standing to be the Acting Master during that period of inability.

(2) Without limiting the generality of subsection (1), a reference to reason includes a reference to illness, leave of absence, temporary absence from Tasmania, or disqualification.

(3) Except as otherwise provided by the Rules of Court—

(a) an Acting Master may perform any of the functions and exercise any of the powers conferred by any enactment or otherwise on the Master;

(b) any act or thing done by, or before, an Acting Master has the same force and effect as if it were done by, or before, the Master; and

(c) the provisions of this Part extend to, and in relation to, a person appointed as Acting Master under subsection (1).

Validation of certain acts, &c., of Registrar purporting to have acted as Master.

6—All acts, matters, and things done, or omitted to be done, by the Registrar in the purported performance and exercise of the duties, obligations, rights, and powers of the Master during—

(a) the period commenced on 7th October 1982 and ended on 22nd October 1982; or

(b) the period commenced on 3rd January 1984 and ended on 9th February 1984,

shall be as valid and effectual as if the Registrar had been duly appointed as Master at the relevant time.

* No. 41 of 1959. For this Act, as amended to 1st June 1979, see the continuing Reprint of Statutes. Subsequently amended by No. 48 of 1979, No. 34 of 1982, and No. 29 of 1984.