JUDICIARY AMENDMENT BILL 1979

Date Introduced: 6 June 1979
House: Senate
Presented by: Senator the Honourable F. Chaney, Minister for Aboriginal Affairs

Short Digest of Bill

Purpose

To amend the Judiciary Act 1903 in order to confer certain other judicial powers on the Northern Territory Government in matters that may not be within the legislative competence of that Government already.

Background

This Bill is consequential on the Northern Territory Supreme Court (Repeal) Bill 1979 (see Digest) and will take in certain provisions of that Bill that need to be continued.

Main Provisions

Clause 3 introduces a new Part IXA to the Principal Act entitled "Suits Relating to the Northern Territory".

New section 67E confers jurisdiction on the Northern Territory Supreme Court in respect of suits between the Commonwealth and the Territory. New section 67C confers similar jurisdiction in relation to certain prerogative writs and injunctions against the Commonwealth and matters which the Territory Supreme Court has traditionally had jurisdiction under s.15(2) of the Northern Territory Supreme Court Act 1961. New section 67D declares that the Territory has power to make laws for the prosecution of indictable offences.

Clause 5 amends s.55D of the Principal Act to effectively provide that the Territory Government may regulate the legal profession.