

**SUPREME COURT (INTEREST) AMENDMENT ACT,
1983, No. 201**

New South Wales



ANNO TRICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 201, 1983.

An Act to amend the Supreme Court Act, 1970, so as to authorise the
Supreme Court to order the payment of interest in certain cases.
[Assented to, 31st December, 1983.]

See also District Court (Interest) Amendment Act, 1983; Courts of Petty Sessions (Civil Claims) (Interest) Amendment Act, 1983.

Supreme Court (Interest) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Supreme Court (Interest) Amendment Act, 1983".

Commencement.

2. (1) Except as provided by subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 52, 1970.

3. The Supreme Court Act, 1970, is amended by inserting after section 94 (1) the following subsection:—

(1A) Where—

- (a) proceedings have been commenced for the recovery of a debt or liquidated damages; and
- (b) payment of the whole or a part of the debt or damages is made during the currency of the proceedings and prior to or without judgment being given in respect of the debt or damages,

the Court may order that interest be paid at such rate as it thinks fit on the whole or any part of the money paid for the whole or any part of the period between the date when the cause of action arose and the date of the payment.

Supreme Court (Interest) Amendment.

Transitional provision.

4. The provisions of section 94 (1A) of the Supreme Court Act, 1970, as amended by this Act, apply to proceedings commenced before the day appointed and notified under section 2 (2), as well as to proceedings commenced on or after that day, but do not operate to authorise the giving of interest on money paid before that day.
