

Act No. 163

SUPREME COURT (AMENDMENT) BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The District Court (Amendment) Bill 1987 is cognate with this Bill.

The object of this Bill is to empower the Supreme Court to order that certain civil proceedings be tried without a jury.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will commence on assent.

Clause 3 amends the Supreme Court Act 1970 to empower the Supreme Court to order that certain civil proceedings be tried without a jury.

The amendment will override section 86 (where a party requisitions a jury) and section 87 (running-down cases where all or any parties apply for a jury), but does not override section 88 (proceedings for fraud, defamation and malicious prosecution etc., which must be tried with a jury) except in the respects that presently apply.

Clause 4 provides that the amendment applies to pending proceedings as well as new proceedings.
