

*Warning*

# **“Queensland Statute Reprints”**

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QUEENSLAND

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**APPELLATE JURISDICTION ACT, 1908**

8 Edw. 7 c. 51

(Imperial)

[Reprinted as at 1 August, 1981]

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As amended by

**Appellate Jurisdiction Act, 1913, 3 & 4 Geo. 5 c. 21**

**Supreme Court of Judicature (Consolidation) Act, 1925, 15 & 16 Geo. 5  
c. 49**

**Statute Law Revision Act, 1927, 17 & 18 Geo. 5 c. 42**

**Burma Independence Act, 1947, 11 & 12 Geo. 6 c. 3**

**Newfoundland (Consequential Provisions) Act, 1950, 14 Geo. 6 c. 5**

**South Africa Act, 1962, 10 & 11 Eliz. 2 c. 23**

An Act to amend the Law with respect to the Judicial Committee of the  
Privy Council [and the Court of Appeal in England]

[21 December 1908]

The words in square brackets in the long title were expunged except as to any part of Her Majesty's dominions out of the United Kingdom, by the Statute Law Revision Act, 1927, 17 & 18 Geo. 5 c. 42 (Imperial).

**1. Power to direct colonial judge to act as assessor of the Judicial Committee on hearing of appeals from the colony.** (1) For the purpose of the hearing of any appeal to His Majesty in Council from any court in a British possession, His Majesty may, if he thinks fit, authorise any person who is or has been a judge of the court from which the appeal is made, or a judge of a court to which an appeal lies from the court from which the appeal is made, and whose services are for the time being available, to attend as an assessor of the Judicial Committee of the Privy Council on the hearing of the appeal.

(2) This section shall not apply to any British possession except the possessions specified in the schedule to this Act and any possession which may hereafter be added to that schedule by Order in Council.

**2. Not reprinted.**

**3. Extension of 58 & 59 Vic. c. 44.** (1) Section one of the *Judicial Committee Amendment Act, 1895*, shall have effect as if the persons named therein included any person being or having been chief justice or a justice of the High Court of Australia or chief justice or judge of the Supreme Court of Newfoundland.

(2) (Repealed).

Amended by Appellate Jurisdiction Act, 1913 (Imperial), s. 3 (4).

**4. Resignation of members of the Judicial Committee.** Any member of the Judicial Committee of the Privy Council may resign his office as member of that Committee by giving notice of his resignation in writing to the Lord President of the Council.

**5. Power to make continuing Order instead of annual Order directing appeals to be referred to Judicial Committee.** His Majesty may from time to time by Order in Council make a general Order directing that all appeals shall be referred to the Judicial Committee of the Privy Council until the Order is rescinded, and section nine of the *Judicial Committee Act, 1844*, shall have effect as if any such general Order for the time being in force were substituted in the first proviso to that section for the annual Order therein referred to, and the time for which the Order remains in force were substituted for the twelve months next after the making of the general Order. The expression "appeals" in this section means appeals on petitions presented to His Majesty in Council, and includes any complaints in the nature of appeals and any petitions in the matter of appeals.

**6. (Repealed).**

Repealed by Supreme Court of Judicature (Consolidation) Act, 1925, 15 & 16 Geo. 5 c. 49 (Imperial), s. 226.

**7. Short title and construction.** (1) This Act may be cited as the *Appellate Jurisdiction Act, 1908*.

(2) The provisions of this Act shall be in addition to and shall not affect any other enactment for the appointment of or relating to members of the Judicial Committee.

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## SCHEDULE

### Section 1

As amended by the Appellate Jurisdiction Act, 1913, 3 & 4 Geo. 5 c. 21 (Imperial), s. 3 (4); Burma Independence Act, 1947, 11 & 12 Geo. 6 c. 3 (Imperial), s. 5, 2nd Sch.; Newfoundland (Consequential Provisions) Act, 1950, 14 Geo. 6 c. 5, (Imperial), s. 1 (2), Sch.; South Africa Act, 1962, 10 & 11 Eliz. 2 c. 23 (Imperial), s. 2 (3), Fifth Sch.

British India

The Dominion of Canada

The Commonwealth of Australia

The Dominion of New Zealand