



Privy Council (Limitation of Appeals) Act 1968

Act No. 36 of 1968 as amended

This compilation was prepared on 7 November 2000
taking into account amendments up to Act No. 216 of 1973

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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An Act to limit the matters in which Special Leave of Appeal from the High Court of Australia to Her Majesty in Council may be asked and to exclude appeals to Her Majesty in Council from other Federal Courts and from the Supreme Courts of the Territories

1 Short title [see Note 1]

This Act may be cited as the *Privy Council (Limitation of Appeals) Act 1968*.

2 Commencement [see Note 1]

This Act shall come into operation on a date to be fixed by Proclamation, being a date after the date on which the Governor-General makes known under section 60 of the Constitution that this Act has received the Queen's assent.

3 Limitation of matters in which special leave of appeal from the High Court may be asked

- (1) Special leave of appeal to Her Majesty in Council from a decision of the High Court may be asked only in a matter in which the decision of the High Court was a decision that:
 - (a) was given on appeal from a decision of the Supreme Court of a State given otherwise than in the exercise of federal jurisdiction; and
 - (b) did not involve the application or interpretation of:
 - (i) the Constitution;
 - (ii) a law made by the Parliament; or
 - (iii) an instrument (including an ordinance, rule, regulation or by-law) made under a law made by the Parliament.
- (2) The last preceding subsection does not apply in respect of a decision of the High Court given in a proceeding that was commenced in a court before the commencement of this Act.

4 Exclusion of appeals from Federal Courts and Supreme Courts of Territories

Leave of appeal to Her Majesty in Council, whether special leave or otherwise, shall not be asked from a decision of a Federal Court (not being the High Court) or of the Supreme Court of a Territory.

Table of Acts**Notes to the *Privy Council (Limitation of Appeals) Act 1968*****Note 1**

The *Privy Council (Limitation of Appeals) Act 1968* as shown in this compilation comprises Act No. 36, 1968 amended as indicated in the Tables below.

Table of Acts

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Privy Council (Limitation of Appeals) Act 1968</i>	36, 1968	(a)	1 Sept 1968 (see <i>Gazette</i> 1968, No. 71, p. 4669)	
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10

Act Notes

- (a) Act No. 36, 1968; reserved for Her Majesty's pleasure, 17 May 1968; Queen's Assent, 10 June 1968; Queen's Assent proclaimed 6 August 1968 (see *Gazette* 1968, No. 68A, p. 4365A).

Table of Amendments

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ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Title	am. No. 216, 1973
S. 4	am. No. 216, 1973