

# Northern Territory Supreme Court (Repeal) Act 1979

No. 85 of 1979

An Act to repeal the *Northern Territory Supreme Court Act 1961*, and to provide for related matters.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

- Short title      1. This Act may be cited as the *Northern Territory Supreme Court (Repeal) Act 1979*.<sup>1</sup>
- Commence-  
ment            2. This Act shall come into operation on a date to be fixed by Proclamation.
- Interpret-  
ation            3. In this Act—  
“commencing date” means the date of commencement of this Act;  
“judgment” means a judgment, decree or order, whether final or interlocutory, or a sentence;  
“proceeding” means a proceeding, whether between parties or not, and includes—  
    (a) an incidental proceeding in the course of, or in connection with, a proceeding;  
    (b) a judgment;  
    (c) an appeal; or  
    (d) an application for leave or special leave to appeal;  
“Supreme Court” means the Supreme Court of the Northern Territory of Australia.
- Repeals            4. The Acts set out in the Schedule are repealed.
- Proceedings  
in High  
Court and  
Federal  
Court of  
Australia        5. For the purposes of—  
    (a) any proceedings in the High Court or the Federal Court of Australia pending immediately before the commencing date (including proceedings the hearing of which had not commenced before that date) or instituted on or after that date, being proceedings in relation to proceedings in the Supreme Court as established by the *Northern Territory Supreme Court Act 1961*; or

- (b) any right of appeal that lay immediately before the commencing date (whether or not subject to conditions as to leave to appeal or other conditions) to the High Court or the Federal Court of Australia from a judgment of the Supreme Court as so established,

the Supreme Court as established by the *Supreme Court Act 1979* of the Northern Territory shall be deemed to be a continuation in existence, without any change in identity, of the Supreme Court as established by the *Northern Territory Supreme Court Act 1961*.

6. The repeals made by section 4 shall not be taken to affect an appointment of a Judge of the Federal Court of Australia made before the commencing date.

Judges of  
Federal  
Court of  
Australia

7. Where a law of the Commonwealth that was in force immediately before the commencing date and continues in force on the commencing date contains a reference, or an expression that includes a reference, to the Supreme Court, then, except so far as the context otherwise requires, that reference shall not be taken, on or after that date, as not being or as not including, as the case may be, a reference to the Supreme Court as established by the *Supreme Court Act 1979* of the Northern Territory.

References  
in laws of the  
Common-  
wealth to  
Supreme  
Court

---

## SCHEDULE

Section 4

### ACTS REPEALED

*Northern Territory Supreme Court Act 1961*  
*Northern Territory Supreme Court Act 1968*  
*Northern Territory Supreme Court Act 1971*  
*Northern Territory Supreme Court Act 1973*  
*Northern Territory Supreme Court Act 1975*  
*Northern Territory Supreme Court Amendment Act 1976*  
*Northern Territory Supreme Court Amendment Act 1978*  
*Northern Territory Supreme Court Amendment Act (No. 2) 1978*

---

## NOTE

1. Act No. 85, 1979; assented to 31 August 1979.