**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.

**Commencement**

**2.** This Act shall come into operation on a date to be fixed by Proclamation.

**Interpretation**

**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**4.** The Acts set out in the Schedule are repealed.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.

**Judges of Federal Court of Australia**

**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.

**References in laws of the Commonwealth to Supreme Court**

**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.

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