

Queensland



ANNO VICESIMO SECUNDO

ELIZABETHAE SECUNDAE REGINAE

No. 55 of 1973

An Act to amend the Supreme Court Library Act 1968 in certain particulars

[ASSENTED TO 25TH OCTOBER, 1973]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. Short title and citation. (1) This Act may be cited as the *Supreme Court Library Act Amendment Act 1973*.

(2) The *Supreme Court Library Act 1968* is in this Act referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Supreme Court Library Act 1968-1973*.

2. Repeal of and new s. 4. The Principal Act is amended by repealing section 4 and substituting the following section:—

“4. Constitution of Committee, appointment and term of office of members. (1) The Committee shall consist of—

- (a) the Chief Justice or a Judge of the Supreme Court appointed by the Chief Justice;
- (b) the Chairman of District Courts or a Judge of District Courts appointed by the Chairman of District Courts;
- (c) the Chief Stipendiary Magistrate or a Stipendiary Magistrate appointed by the Chief Stipendiary Magistrate; and
- (d) eight other members comprising—
 - (i) four practising Barristers of at least three years' standing, of whom two shall be appointed by the Chief Justice and two shall be appointed by the Bar Association of Queensland;
 - (ii) four practising Solicitors of at least three years' standing, of whom two shall be appointed by the Chief Justice and two shall be appointed by the Council of the Queensland Law Society Incorporated.

The Attorney General or his nominee shall be *ex-officio* a member of the Committee.

(2) The Chairman of the Committee shall be the Chief Justice or the Judge of the Supreme Court appointed by the Chief Justice as a member of the Committee.

If the Chairman is absent from a meeting after a quorum is constituted, the members present shall elect from their number a chairman for that meeting, and a member so elected shall, while so acting, have all the powers, duties and functions of the Chairman under this Act.

The Chairman shall have a deliberative vote and, in the event of an equality of votes, a casting vote.

(3) (i) Appointments to the Committee for the year next following shall be made in the month of December of each year.

(ii) Members of the Committee shall hold office for one year commencing on and from the first day of January next following their appointments thereto.

(4) (a) The office of a member of the Committee shall become vacant if the member—

- (i) dies or resigns his office by writing signed by him delivered to the Chief Justice;
- (ii) is absent from meetings of the Committee for a continuing period of six months, without prior leave of the Committee;
- (iii) is disbarred or struck off the roll of Solicitors or suspended from practice.

(b) Where a vacancy occurs in the office of a member of the Committee appointed pursuant to subparagraph (d) of subsection (1) during the term of office of the members then constituting the Committee, the Chief Justice shall appoint to the vacant office

another practising Barrister or Solicitor of like standing who shall hold office until the thirty-first day of December next following his appointment as a member.

(c) Where, in the month of December in any year, the Chief Justice appoints a Judge of the Supreme Court as the Chairman of the Committee, he may also, at the same time, appoint another Judge of the Supreme Court to act in the stead of the Judge first appointed while that Judge is absent on leave.

(d) (i) The Chief Justice may at any time appoint a Judge of the Supreme Court to act as the Chairman during the absence on leave or the inability to act for any reason of the Chairman of the Committee or other Judge appointed to act as the Chairman pursuant to paragraph (c).

(ii) The Chairman of District Courts may at any time appoint a Judge of District Courts to act as a member of the Committee during the absence on leave or the inability to act for any reason of the Chairman of District Courts or of the Judge of District Courts appointed by him to the Committee.

(iii) The Chief Stipendiary Magistrate may at any time appoint a Stipendiary Magistrate to act as a member of the Committee during the absence on leave or the inability to act for any reason of the Chief Stipendiary Magistrate or of the Stipendiary Magistrate appointed by him to the Committee.

(5) At any meeting of the Committee six members shall constitute a quorum.

(6) Subject to there being a quorum, a proceeding of the Committee shall not be invalidated by reason only of a vacancy in the office of a member of the Committee at the time of that proceeding.

(7) Immediately after the date of commencement of the *Supreme Court Library Act Amendment Act 1973* the Committee shall furnish to the Registrar of the Supreme Court at Brisbane a notice setting forth the names and other relevant particulars of the persons who from time to time since the date of commencement of this Act constituted or were appointed to the Committee and thereafter as soon as reasonably practicable—

(a) shall upon the constitution of the Committee for each year furnish to the Registrar notice of the names and other relevant particulars of the persons by whom the Committee is constituted for that year and of the Judge appointed pursuant to paragraph (c) of subsection (4);

(b) shall upon a change in the members constituting the Committee occurring in any year furnish to the Registrar notice of relevant particulars of that change.

The Registrar shall file in the Central Registry at Brisbane every notice furnished to him pursuant to this subsection.”

3. Amendment of s. 7. Section 7 of the Principal Act is amended by—

(a) in subsection (1), inserting after the word “heretofore” where it occurs in paragraph (a) the words “been on loan from any Department of the Government of Queensland to,”;

(b) omitting subsection (4).

4. Repeal of and new s. 16. The Principal Act is amended by repealing section 16 and substituting the following section:—

“ 16. Annual report and accounts. (1) The Committee shall, not later than the thirty-first day of March in each year, submit to the Chief Justice and the Attorney-General a report of its proceedings during the year that expired on the thirty-first day of December last preceding, including a statement of its income and expenditure and a balance sheet for that year.

(2) Immediately after the date of commencement of the *Supreme Court Library Act Amendment Act 1973* the Committee shall furnish to the Registrar of the Supreme Court at Brisbane a copy of each annual report that has been submitted to the Chief Justice pursuant to this Act since the date of commencement of this Act, and shall thereafter as soon as reasonably practicable furnish to the Registrar a copy of each annual report submitted in accordance with this section.

The Registrar shall file in the Central Registry at Brisbane every annual report furnished to him.”