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## JUDICIARY.

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No. 38 of 1920.

An Act to amend the *Judiciary Act* 1903-1915 and  
for other purposes.

[Assented to 30th October, 1920.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate,  
and the House of Representatives of the Commonwealth of  
Australia, as follows :—

- 1.—(1.) This Act may be cited as the *Judiciary Act* 1920.
- (2.) The *Judiciary Act* 1903-1915 is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *Judiciary Act* 1903-1920.

Short title and  
citation.

2. Section twenty-three of the Principal Act is amended by  
omitting from sub-section (1.) thereof the words “ unless a majority  
of all the Justices concur in the decision ” and inserting in their stead  
the words “ unless at least three Justices concur in the decision ”.

Decision in case  
of difference of  
opinion.

Duration of  
*Judiciary Act*  
1915.

3. Section one of the *Judiciary Act* 1915 is amended by omitting sub-section (4.) thereof, and that Act shall continue in force as if that sub-section had not been enacted.

Awards  
may be made  
Rules of Court.

4. After section thirty-three of the Principal Act the following section is inserted :—

“33A. The High Court may by order direct that an award in an arbitration in respect of any matter over which the High Court has original jurisdiction, or in respect of which original jurisdiction may be conferred upon the High Court, shall be a Rule of the High Court.”.

Jurisdiction of  
State Courts in  
criminal cases.

5. Section sixty-eight of the Principal Act is amended—

(a) by inserting in sub-section (1.) thereof, after the word “shall” the words “, subject to this section,”; and

(b) by adding at the end thereof the following sub-section :—

“(4.) The several Courts of a State exercising the jurisdiction conferred upon them by this section shall, upon application being made in that behalf, have power to order, upon such terms as they think fit, that any information laid before them in respect of an offence against the laws of the Commonwealth shall be amended so as to remove any defect either in form or substance contained in that information.”.

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