

THIS Bill originated in the House of Representatives ; and, having this day passed, is now ready for presentation to the Senate for its concurrence.

E. W. PARKES,

*Clerk of the House of Representatives.*

House of Representatives,  
Canberra, 11th December, 1929.

## A BILL

FOR

## AN ACT

To amend the *Bankruptcy Act* 1924-1928, and for other purposes.

**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 *Bankruptcy Act* 1929. Short title and citation.
- 5 (2.) The *Bankruptcy Act* 1924-1928\* is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *Bankruptcy Act* 1924-1929.
2. Section four of the Principal Act is amended by adding at the Definition.
- 10 end of the definition of "Officer" the following words "or of the Commonwealth."
- 3.—(1.) Section twelve of the Principal Act is amended— District Registrars and Official Receivers.
- (a) by omitting from sub-section (5.) the words "officers of the Court" and inserting in their stead the words "controlled by the Court"; and
- 15 (b) by omitting from sub-section (7.) the words "an officer of the Court" and inserting in their stead the words "controlled by the Court".
- (2.) This section shall be deemed to have commenced on the first
- 20 day of August One thousand nine hundred and twenty-eight.
- 4.—(1.) Section

\* Act No. 37, 1924, as amended by No. 3, 1927; and No. 39, 1928.

Bankruptcy  
Courts.

4.—(1.) Section eighteen of the Principal Act is amended by omitting paragraph (b) of sub-section (1.) and inserting in its stead the following paragraph:—

“(b) the following State Courts and Courts of Territories, which are hereby invested with federal jurisdiction in bankruptcy throughout the Commonwealth:— 5

The Supreme Court of the State of New South Wales;  
The Court of Insolvency in and for the State of Victoria;  
The Supreme Court of the State of Queensland;  
The Court of Insolvency of the State of South Australia; 10  
The Supreme Court of the State of Western Australia;  
The Supreme Court of the State of Tasmania;  
The Supreme Court of North Australia; and  
The Supreme Court of Central Australia.”

(2.) This section shall be deemed to have commenced on the first 15 day of August One thousand nine hundred and twenty-eight.

5. Section twenty-three of the Principal Act is repealed and the following section inserted in its stead:—

Delegation  
of authority  
of Court to  
Registrar.

“23. The Registrar may exercise such of the powers, duties and functions of an administrative nature exercisable by the Court as the 20 Court directs or authorizes him to exercise.”

Jurisdiction of  
Registrar.

6. Section twenty-four of the Principal Act is amended—

(a) by omitting the words “shall have, in addition to the powers which may be delegated to him by the Court under the provisions of this Act, the following 25 powers, duties and jurisdiction of the Court,” and inserting in their stead the following words “may exercise in addition to the powers, duties and functions which the Court under the provisions of this Act may direct or authorize him to exercise, the following 30 powers, duties and functions;” and

(b) by omitting sub-section (2.) and inserting in its stead the following sub-section:—

“(2.) Any order or direction made or given or act done by the Registrar in pursuance of this Act 35 shall be as valid and effectual to all intents and purposes and may be enforced as if it were an order, direction or act of the Court, subject, nevertheless, to review on summary application to the Court.” 40

Validation of  
certain acts  
done by  
Registrar.

7. Any order made or act done by a Registrar in Bankruptcy or by any person purporting, in pursuance of any authority or appointment, to act as such Registrar before the commencement

of

1929.

*Bankruptcy.*

No.

3

of this Act in pursuance of a power purporting to be delegated to him by the Court under section twenty-three of the Principal Act or in pursuance of a power, duty or jurisdiction purporting to be had by him under section twenty-four of the  
5 Principal Act shall be as valid and effectual to all intents and purposes and may be enforced as if it had been made or done in pursuance of an authority or direction given to him under the Principal Act, as amended by this Act and any appointment of a person as Registrar in Bankruptcy made or purporting to have been  
10 made under the Principal Act shall be and be deemed to have been as valid and effectual as if it had been made under that Act as amended by this Act.

8. Nothing in this Act shall affect the rights of any person under a judgment or order of a Court given or made prior to the  
15 commencement of this Act.

Rights of  
persons under  
judgments not  
affected.

