



Appellate Jurisdiction Act 1908

1908 CHAPTER 51 8 Edw 7

An Act to amend the Law with respect to the Judicial Committee of the Privy Council
F1

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[21st December 1908]

Textual Amendments

F1 Words omitted under authority of [Statute Law Revision Act 1927 \(c. 42\)](#)

1 Power to direct colonial judge to act as assessor of the Judicial Committee on hearing of appeals from the colony.

- (1) For the purpose of the hearing of any appeal to His Majesty in Council from any court in a British possession, His Majesty may, if he thinks fit, authorise any person who is or has been a judge of the court from which the appeal is made, or a judge of a court to which an appeal lies from the court from which the appeal is made, and whose services are for the time being available, to attend as an assessor of the Judicial Committee of the Privy Council on the hearing of the appeal.
- (2) This section shall not apply to any British possession except the possessions specified in the schedule to this Act and any possession which may hereafter be added to that schedule by Order in Council.

F2

Textual Amendments

F2 S. 2 repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. VII](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Appellate Jurisdiction Act 1908. (See end of Document for details)

3 Extension of 58 & 59 Vict. c. 44.

(1) Section one of the Judicial Committee Amendment Act 1895 shall have effect as if the persons named therein included any person being or having been chief justice or a justice of the High Court of Australia ^{F3} . . .

^{F4}(2)

Textual Amendments
F3 Words repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\), s. 1\(1\), Sch. 1 Pt. 1](#) Group 2
F4 [S. 3\(2\)](#) repealed by [Appellate Jurisdiction Act 1913 \(c. 21\), Sch.](#)

4 Resignation of members of the Judicial Committee.

Any member of the Judicial Committee of the Privy Council may resign his office as member of that Committee by giving notice of his resignation in writing to the Lord President of the Council.

5 Power to make continuing Order in stead of annual Order directing appeals to be referred to Judicial Committee.

His Majesty may from time to time by Order in Council make a general Order directing that all appeals shall be referred to the Judicial Committee of the Privy Council until the Order is rescinded, and section nine of the ^{M1}Judicial Committee Act 1844, shall have effect as if any such general Order for the time being in force were substituted in the first proviso to that section for the annual Order therein referred to, and the time for which the Order remains in force were substituted for the twelve months next after the making of the general Order. The expression “appeals” in this section means appeals on petitions presented to His Majesty in Council, and includes any complaints in the nature of appeals and any petitions in the matter of appeals.

Marginal Citations
M1 [1844 c. 69.](#)

^{F5}6

Textual Amendments
F5 [S. 6](#) repealed by [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\), Sch. 6](#)

7 Short title and construction.

- (1) This Act may be cited as the Appellate Jurisdiction Act 1908.
- (2) The provisions of this Act shall be in addition to and shall not affect any other enactment for the appointment of or relating to members of the Judicial Committee.

Status: Point in time view as at 01/02/1991.

Changes to legislation: *There are currently no known outstanding effects for the Appellate Jurisdiction Act 1908. (See end of Document for details)*

SCHEDULE

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Textual Amendments

F6 Entries repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), **Sch. 1 Pt. I** Group 2

F7
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Textual Amendments

F7 Words repealed by [Burma Independence Act 1947 \(11 & 12 Geo. 6 c. 3\)](#), **Sch. 2 Pt. I**

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The Commonwealth of Australia.

The Dominion of New Zealand.

F8
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Textual Amendments

F8 Words repealed by [South Africa Act 1962 \(c. 23\)](#), **Sch. 5**

F9
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Textual Amendments

F9 Words repealed by [Newfoundland \(Consequential Provisions\) Act 1950 \(c. 5\)](#), **Sch. 5**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Appellate Jurisdiction Act 1908.