

53. Appeal proceedings under section 52

- (1) A decision of a Judge of the Supreme Court or of the District Court under section 52 may be the subject of an appeal to the Full Court of the Supreme Court.
- (2) For the purposes of subsection (1), Part VIII of the *Justices Act 1902* shall apply as if a decision referred to in that subsection were a decision of justices, and with all necessary modifications including the following —
 - (a) references to a justice or to justices shall be read as references to a Judge of the Supreme Court or of the District Court, as the case may require;
 - (b) sections 184 and 185 shall be read as if they provided for an application to the Full Court for leave to appeal to that Court;
 - (c) in sections 187, 188, 190, 193 and 206, references to “the Judge”, “any Judge” or “a Judge in chambers” shall be read as references to the Full Court;
 - (d) references to the clerk of petty sessions shall be read as references to the Registrar of the District Court or of the Supreme Court, as the case may require; and
 - (e) section 187(3) shall not apply.
- (3) In subsection (1) “**decision**” has the meaning assigned to it by section 4 of the *Justices Act 1902*.

[Section 53 inserted by No. 33 of 1989 s.18.]