

No. 24 of 1973

## AN ORDINANCE

### Relating to the Conduct of Certain Proceedings in Courts.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1972*.

Dated this fourth day of July, 1973.

PAUL HASLUCK  
Governor-General.

By His Excellency's Command,

LIONEL MURPHY  
Attorney-General.

### ENFORCEMENT OF PUBLIC INTERESTS ORDINANCE 1973

1. This Ordinance may be cited as the *Enforcement of Public Interests Ordinance 1973*.<sup>\*</sup> Short title.

2. (1) Where the Attorney-General gives his consent to the institution of proceedings in a court on the relation of a person, the title of the proceedings shall, if the Attorney-General so directs—

(a) describe that person as the plaintiff in the proceedings; and

(b) contain words to the effect that the proceedings are instituted with the consent of the Attorney-General.

Form of certain proceedings instituted with consent of Attorney-General.

(2) Where, either before or after the commencement of this Ordinance, proceedings have been instituted in a court in the name of the Attorney-General as plaintiff on the relation of a person, the Attorney-General may, if he thinks fit, direct that, on and from the date of the direction, the title of the proceedings shall be changed so that the person named in the proceedings as the relator is described as the plaintiff in the proceedings.

(3) Where a direction is given under sub-section (2) in relation to proceedings, the title of the proceedings shall, on and after the date on which a copy of the direction is lodged with the registrar of the court, be deemed to have been changed so that the person named in the proceedings as relator is described as the plaintiff with the addition of the words "with the consent of the Attorney-General".

<sup>\*</sup> Notified in the *Australian Government Gazette* on 5 July 1973.

Powers of court and rights of Attorney-General where direction given.

3. (1) Where a direction is given under sub-section 2 (1) in relation to proceedings, the Attorney-General has the same rights in relation to those proceedings as he would have had if the proceedings had been instituted in his name as plaintiff on the relation of a person.

(2) Where a direction is given under sub-section 2 (2) in relation to proceedings, the Attorney-General has, on and after the date of the direction, the same rights as he would have had if the direction had not been given.

(3) In proceedings in relation to which a direction has been given under sub-section 2 (1), a court has the same powers as it would have had if the proceedings had been instituted in the name of the Attorney-General on the relation of a person.

(4) In proceedings in relation to which a direction has been given under sub-section 2 (2), a court has, on and after the date on which a copy of the direction is lodged with the registrar of the court, the same powers as it would have had if the direction had not been given.