



AUSTRALIAN CAPITAL TERRITORY

Law Reform (Miscellaneous Provisions) Amendment Act 2002

Act 2002 No 34

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Act amended	2
4 Division 12.14	2
5 Part 13, heading	2
6 New part 14	2



AUSTRALIAN CAPITAL TERRITORY

Law Reform (Miscellaneous Provisions) Amendment Act 2002

Act 2002 No 34

An Act to amend the *Law Reform (Miscellaneous Provisions) Act 1955*

*Notified under the Legislation Act 2001 on 8 October 2002
(see www.legislation.act.gov.au)*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Law Reform (Miscellaneous Provisions) Amendment Act 2002*.

2 Commencement

This Act commences on the day after its notification day.

3 Act amended

This Act amends the *Law Reform (Miscellaneous Provisions) Act 1955*.

4 Division 12.14

omit

5 Part 13, heading

substitute

Part 13 Stipulations in contracts

6 New part 14

insert

Part 14 Abolition of maintenance, champerty and a form of barratry

68 Abolition of certain common law offences

The following common law offences are abolished:

- (a) maintenance;
- (b) champerty;
- (c) being a common barrator.

69 Abolition of torts of maintenance and champerty

The torts of maintenance and champerty are abolished.

70 Preservation of liability under certain contracts

This Act does not affect any rule of law about the illegality or avoidance of contracts that are tainted with maintenance or are champertous.

71 Lawyers' conduct not affected

This Act does not affect any rule of law relating to the misconduct of a lawyer who—

- (a) engages in conduct that would have been maintenance at common law; or
- (b) is a party to a champertous agreement.

72 Saving of existing rights and liabilities

The *Legislation Act 2001*, section 84 (Saving of operation of repealed and amended laws) applies to the abolition of an offence under section 68 and a tort under section 69 as if each of those sections repealed a law.

Endnote

Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

[Presentation speech made in Assembly on 22 August 2002]

I certify that the above is a true copy of the Law Reform (Miscellaneous Provisions) Amendment Bill 2002 which was passed by the Legislative Assembly on 24 September 2002.

Clerk of the Legislative Assembly

© Australian Capital Territory 2002