

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to amend the Judges Act.

R.S., c. 105;
1930, c. 27;
1931, c. 37;
1932, cc. 16,
48;
1936, c. 39;
1944-45, cc. 10,
45.

Judges not
to act as
Commission-
ers or
arbitrators.

Exceptions.

R.S., c. 170.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section thirty-seven of the *Judges Act*, chapter one hundred and five of the Revised Statutes of Canada, 1927, 5 is repealed and the following substituted therefor:—

“37. (1) No judge mentioned in this Act shall act as commissioner or arbitrator on any commission or inquiry.

(2) This section shall not extend nor be deemed to have extended, to judges acting as arbitrators or assessors of 10 compensation or damages under the *Railway Act*, or any public Act, whether of general or local application, of the Dominion or of any province, whereby a judge is required or authorized to assess or ascertain compensation or dam- 15 ages.”

2. The said Act is further amended by adding thereto the following section.—

Judges to be
bound by
decision of
court of
final appeal.

“39. Notwithstanding the provisions of any law, statute, usage, custom, or doctrine of law to the contrary and in so far as it is within the jurisdiction of Parliament to enact, all 20 courts or a judge of any of the courts referred to in this Act, whether such court was constituted or such judge appointed prior to or after the date of the coming into force of this section, shall, when rendering decisions or pronouncing judgment in respect to any question of law com- 25 petent for such court or judge to decide or pronounce upon, take judicial notice of and be bound by the then last decision or judgment of the Judicial Committee of the Privy Council or other court of final appeal rendered by such court upon or in respect to the application of the same question of law.” 30