

THE ACTING JUDGES ACT, 1867

ACT NO. XVI OF 1867

[1st March, 1867]

An Act to authorise the making of acting appointments to certain Judicial Offices.

WHEREAS the ¹[President], is empowered by diverse enactments to appoint the Judges of certain Courts in ²[Bangladesh]: And whereas it has been doubted whether he ³[* * *] is empowered to appoint persons to act temporarily as such Judges, and it is expedient to remove such doubts;

Preamble

It is hereby enacted as follows:—

1. In every case in which the ⁴[President], has power under any Act or Regulation to appoint a Judge of any Court,

Power to appoint acting Judges

such power shall be taken to include the power to appoint any person capable of being appointed a permanent Judge of such Court, to act as Judge of the same Court for such time as the ⁴[President], shall direct. Every person so appointed to act temporarily as a Judge of any such Court shall have the powers and perform the duties which he would have had and been liable to perform in case he had been duly appointed a permanent Judge of the same Court.

2. Every such Act and Regulation shall be construed as if it contained a special clause to the purport or effect of the first section of this Act.

Certain enactments to be construed as if they contained a clause like section 1 of this Act

¹ The word “President” was substituted, for the words and comma “Governor General or the Local Government, as the case may be” by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The word “Bangladesh” was substituted, for the word “Pakistan” by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

³ The words “or it” were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

⁴ The word “President” was substituted, for the words “Central Government or the Provincial Government as the case may be” by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).