

Appeals to the Privy Council

Terms of Reference

In 1973, the Commission was given a reference to consider and report on the question whether the right of appeal to the Privy Council should be abolished.

Background of Reference

Research toward the preparation of a working paper on this subject was not completed, as it became apparent that Commonwealth legislation was being drafted to address the issue.

The *Privy Council (Appeals from the High Court) Act 1975* (Cth) abolished appeals from the High Court to the Privy Council in all matters of state jurisdiction. However, it remained possible for appellants to choose between appealing to the High Court or the Privy Council on state matters until corresponding state and federal Acts abolished this remaining avenue of appeal in 1986.¹

Reference Withdrawn

As a consequence of the Commonwealth legislation, the Commission deferred work on the project in 1976. The reference subsequently lapsed due to the abrogation of appeals to the Privy Council from all Australian courts.

¹ See the *Australia Act 1986* (Cth) and corresponding state Acts of the same name.