

2. In this Act—

“Judge” means and includes any person appointed to and holding any of the following offices:—

- (a) Chief Justice of Western Australia; or
- (b) Judge of the Supreme Court of Western Australia; or
- (c) Acting Judge of the Supreme Court of Western Australia; or
- (d) A Commissioner of the Supreme Court of Western Australia appointed under section forty-nine of the Supreme Court Act, 1935.

Interpretation.

See Queensland (1921), 12 Geo. V., No. 14, s. 2.

See N.S.W., No. 9 of 1918, s. 2.

3. Notwithstanding anything to the contrary contained in the Constitution Act, 1889, or in the Supreme Court Act, 1935, every Judge appointed after the commencement of this Act who shall attain the age of seventy years shall retire from office on the day on which he attains such age, and thereupon the office of such Judge shall by virtue of this Act become vacant, save for the purpose of completing the trial of any action as next hereinafter provided, and such office may, notwithstanding the pendency of any such trial, be filled by the appointment of any qualified person:

Retirement of Judges.

See Queensland (1921), 12 Geo. V., No. 14, s. 3.

See N.S.W., No. 9 of 1918, s. 3.

Act not to apply to present Judges.

Provided that any Judge who ceases to hold office under this section on attaining the age of seventy years may nevertheless complete the trial of any action which he had entered upon and had not completed before attaining that age:

Provided further, that this section shall not apply to any Judge who holds office as a puisne Judge at the date of the commencement of this Act and who is hereafter appointed to the office of Chief Justice.

4. Notwithstanding that a Judge may not have served for a period of fifteen years the retirement of any such Judge under the preceding section on attaining the age of seventy years shall be deemed to be a resignation of his office for the purpose of subsection (1) of section fourteen of the Supreme Court Act, 1935, and shall not be deemed to deprive him of his right to a pension if he is otherwise qualified under the provisions of that subsection.

Pensions of retiring Judges.

See Queensland (1921), 12 Geo. V., No. 14, s. 4.

See N.S.W., No. 9 of 1918, s. 4.