

ACTS AMENDMENT
(JUDICIAL APPOINTMENTS).

No. 7 of 1982.

AN ACT to amend the Supreme Court Act 1935-1979, the Judges' Salaries and Pensions Act 1950-1979, the District Court of Western Australia Act 1969-1981, the Family Court Act 1975-1981 and the Stipendiary Magistrates Act 1957-1979.

[Assented to 6 May 1982.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Acts Amendment (Judicial Appointments) Act 1982*. Short title.

perform the duties of his office, the Governor by commission under the great seal in Her Majesty's name may appoint a Judge to act in the office of Chief Justice for such period as the Governor thinks fit and specifies in the commission. ” .

PART II—JUDGES' SALARIES AND PENSIONS
ACT 1950-1979.

5. (1) In this Part, the Judges' Salaries and Pensions Act 1950-1979 is referred to as the principal Act.

Citation.
Reprinted as
approved 14
November
1978 and
amended by
Act No. 35
of 1979.

(2) The principal Act as amended by this Act may be cited as the Judges' Salaries and Pensions Act 1950-1982.

6. Section 5 of the principal Act is amended by inserting after subsection (1) the following subsection—

Section 5
amended.

“ (1a) A Judge who is appointed to act in the office of Chief Justice under section 10 (3) of the Supreme Court Act 1935 shall be entitled, for so long as his commission remains in force, to be remunerated and to receive other allowances and reimbursements as if he had been appointed substantively to the office of Chief Justice under section 7 (1) (a) of the Supreme Court Act 1935. ” .

PART III—DISTRICT COURT OF WESTERN AUSTRALIA
ACT 1969-1981.

7. (1) In this Part, the District Court of Western Australia Act 1969-1981 is referred to as the principal Act.

Citation.
Reprinted as
approved 5
September
1980 and
amended by
Act No. 118
of 1981.

(2) The principal Act as amended by this Act may be cited as the District Court of Western Australia Act 1969-1982.

(2) In the absence or inability of the District Court Judge upon whom the powers and duties of the Chairman devolve under subsection (1) of this section, those powers and duties shall devolve during such absence or inability upon the District Court Judge who is next in seniority.

(2a) Where the Chairman is, or is expected to be, absent from duty or there is a vacancy in the office of Chairman, the Governor may appoint a District Court Judge to act in the office of Chairman of Judges for such period as the Governor thinks fit and specifies in the instrument of appointment.

(2b) The Governor may at any time revoke the appointment of a District Court Judge to act as Chairman. ” .

PART IV—FAMILY COURT ACT 1975-1981.

12. (1) In this Part, the Family Court Act 1975-1981 is referred to as the principal Act.

Citation.
Reprinted as
approved 17
March 1980
and amended
by Act No. 94
of 1981.

(2) The principal Act as amended by this Act may be cited as the Family Court Act 1975-1982.

13. Section 4 of the principal Act is amended by deleting the definition of “Chairman” and substituting the following definition—

Section 4
amended.

“ “Chairman” means the Chairman of Judges and includes a Judge appointed to act in the office of Chairman of Judges under section 11 (1a); ” .

14. Section 11 of the principal Act is amended by repealing subsection (1) and substituting the following subsections—

Section 11
amended.

“ (1) Whenever—

(a) the Chairman is absent from the State or from duty; or

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17. Section 8 of the principal Act is amended in subsection (4) by deleting "on oath" and substituting the following—

Section 8
amended.

" the oath or affirmation of allegiance and an
oath " .
