

STIPENDIARY MAGISTRATES.

No. 5 of 1965.

AN ACT to amend the Stipendiary Magistrates Act, 1957.

[Assented to 15th September, 1965.]

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. (1) This Act may be cited as the *Stipendiary Magistrates Act Amendment Act, 1965.* Short title and citation.

(2) In this Act the Stipendiary Magistrates Act, 1957, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Stipendiary Magistrates Act, 1957-1965.

S.5
amended.

2. Subsection (5) of section five of the principal Act is amended by adding after the word, "and" in line five, the passage, "subject to section five A of this Act,".

S.5A
added.

3. The principal Act is amended by adding after section five a section as follows—

Power of
Governor to
extend
period of
office of
Stipendiary
and Special
Magistrates.

5A. (1) Where any person appointed after the commencement of this Act to the office of stipendiary magistrate or special magistrate, attains the age of sixty-five years, if—

(a) the Governor is of opinion that the occasion requires that the person should continue in, or resume, the office to which he was so appointed, after he attains that age; and

(b) the person is able and willing to do so,

the Governor may, at any time and from time to time, direct the person to continue in, or resume, that office on and from such date and for such further period or periods, not exceeding the date on which the person attains the age of seventy years, as the Governor in each case directs.

(2) Where the Governor gives a direction, under subsection (1) of this section—

(a) the person to whom the direction relates shall be deemed to have been appointed under this Act a stipendiary magistrate or special magistrate, as the case may be, for the further period specified in the direction; and

(b) subsection (5) of section five of this Act shall be read as though the reference therein to sixty-five years were a reference to the age on which the person is required to retire in accordance with the direction. .