

## JUDGES' SALARIES AND PENSIONS.

10° Elizabeth II., No. XLV.

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No. 45 of 1961.

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### **AN ACT to amend the Judges' Salaries and Pensions Act, 1950-1960.**

[Assented to 23rd November, 1961.]

**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:—

Short title  
and citation.

1. (1) This Act may be cited as the *Judges' Salaries and Pensions Act Amendment Act, 1961.*

(2) In this Act the Judges' Salaries and Pensions Act, 1950-1960, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Judges' Salaries and Pensions Act, 1950-1961.

2. Section six of the principal Act is repealed and re-enacted with amendments as follows:—

S. 6 repealed  
and re-  
enacted with  
amendments.

6. (1) Where a Judge who has attained the age of sixty years retires after serving as a Judge for not less than ten years, he is entitled to a pension at a rate equal to fifty per centum of his salary.

Pensions  
of Judges.

(2) Where a Judge, not being a Judge to whom subsection (1) of this section applies, retires and the Minister certifies that his retirement is due to permanent disability or infirmity, he is entitled—

(a) if his retirement occurs before he has completed two years' service as a Judge, to a pension at a rate equal to fourteen per centum of his salary; or

(b) in any other case, to a pension at a rate equal to fourteen per centum of his salary and at an additional rate equal to four per centum of his salary for each completed year of service other than the first year, but so that the rate of his pension shall not exceed fifty per centum of his salary.

(3) If a person entitled to receive or in receipt of a pension under this Act—

(a) holds any judicial or other office under the Crown, whether in Western Australia or elsewhere, for which he is remunerated out of the moneys of the Crown; or

(b) is in receipt of a pension received by him by reason of having held such office;

then the pension otherwise receivable under this Act by the said person shall be reduced by the amount of the salary remuneration or pension received by the said person as mentioned in paragraphs (a) or (b) of this subsection.

S. 7 repealed  
and re-  
enacted with  
amendments.

3. Section seven of the principal Act is repealed and re-enacted with amendments as follows:—

Pension to  
widow on  
death of  
Judge before  
retirement.

7. (1) Subject to subsection (2) of this section, where a Judge dies before retirement, a pension shall be paid to his widow at a rate equal to seven per centum of his salary and at an additional rate equal to two per centum of his salary for each completed year of his service other than the first year, but so that the rate of pension of the widow shall not exceed twenty-five per centum of that salary.

(2) If a widow in receipt of a pension under this section remarries, her pension shall thereupon cease and determine.

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