

## JUDGES' SALARIES AND PENSIONS.

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No. 99 of 1970.

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**AN ACT to amend the Judges' Salaries and Pensions  
Act, 1950-1969.**

*[Assented to 8th December, 1970.]*

**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 *Judges' Salaries and Pensions Act Amendment Act, 1970.*

Short  
title and  
citation.

(2) In this Act the Judges' Salaries and Pensions Act, 1950-1969 is referred to as the principal Act.

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(3) The principal Act as amended by this Act may be cited as the *Judges' Salaries and Pensions Act, 1950-1970.*

Approved  
for reprint  
3rd August,  
1962, as  
amended by  
Acts Nos. 32  
of 1962, 47 of  
1964, 30 of  
1966 and 26  
of 1969.

Amendment  
to s. 5.  
(Judges'  
Salaries.)

2. Section 5 of the principal Act is amended by repealing and re-enacting subsection (1) as follows—

(1) The rate of the annual salary payable to—

(a) the Chief Justice of Western Australia shall be twenty-one thousand six hundred dollars;

(b) the Judge who is senior of the Judges other than the Chief Justice of Western Australia, whose office shall be known as that of Senior Puisne Judge shall be nineteen thousand eight hundred dollars;

(c) each other Judge shall be nineteen thousand two hundred dollars,

so long as his commission remains in force. .

Amendment  
to s. 6.  
(Pensions of  
Judges.)

3. Section 6 of the principal Act is amended—

(a) by repealing and re-enacting paragraphs (a) and (b) of subsection (2) as follows—

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

(b) in any other case, to a pension at a rate equal to thirty per centum of his salary and at an additional rate equal to four per centum of his salary for each complete year of his service as a Judge in excess of five years of such service, but so that the rate of his pension shall not exceed fifty per centum of his salary. ;

(b) by substituting for the word "pension" in line eleven of subsection (3) the words "the State share of his pension"; and

(c) by adding a subsection as follows—

(4) In subsection (3) of this section "State share of his pension" has the same

meaning as that expression has in section eighty of the Superannuation and Family Benefits Act, 1938. .

4. Subsection (1) of section 7 of the principal Act is amended— Amendment to s. 7.

(a) by substituting for the word "seven" in line three the word "fifteen"; and (Pension to widow on death of Judge before retirement.)

(b) by substituting for the words "other than the first year" in line six the words "as a Judge in excess of five years of such service".

5. The principal Act is amended by adding after section eight a section as follows— S. 8A added.

8A. Where a widow to whom section seven or section eight of this Act applies is entitled to receive or is in receipt of— Pension of widow in receipt of another pension reducible by the State share of pension.

(a) a pension under either of those sections; and

(b) a pension under the Superannuation and Family Benefits Act, 1938, by reason of her being the widow of a deceased Judge who was at some time a contributor under that Act,

then the first mentioned pension shall be reduced by such proportion of the pension under the Superannuation and Family Benefits Act, 1938, as is verified by the Board under that Act to be equivalent to the amount paid or payable to the Fund under that Act by the State or a Department under that Act in respect of the last mentioned pension. .

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