

No. , 1968.

A BILL

To make further provisions with respect to pensions for judges and for the Master in Equity; for this purpose to amend the Judges' Pensions Act, 1953-1965, and the Equity Act, 1901-1968; and for purposes connected therewith.

[MR McCaw—20 November, 1968.]

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

5 **1.** (1) This Act may be cited as the "Judges' Pensions and Equity (Amendment) Act, 1968".

Short title
and
citation.

(2)

Judges' Pensions and Equity (Amendment).

(2) The Judges' Pensions Act, 1953, as subsequently amended and as amended by this Act, may be cited as the Judges' Pensions Act, 1953-1968.

(3) The Equity Act, 1901, as subsequently amended and as amended by this Act, may be cited as the Equity Act, 1901-1968.

2. The Judges' Pensions Act, 1953-1965, is amended— Amendment of Act No. 41, 1953.

- (a) by omitting from section three the words "three and one-half" and by inserting in lieu thereof the word "five"; Sec. 3. (Pension to judge retiring at age seventy.)
- (b) by inserting next after subsection three of section eleven the following new subsection :— Sec. 11. (Application of Act.)

(4) Notwithstanding anything in this Act, the amendment made to section three of this Act by the Judges' Pensions and Equity (Amendment) Act, 1968, shall not apply to and in relation to a judge who before the commencement of that Act retired from his judicial office as referred to in that section.

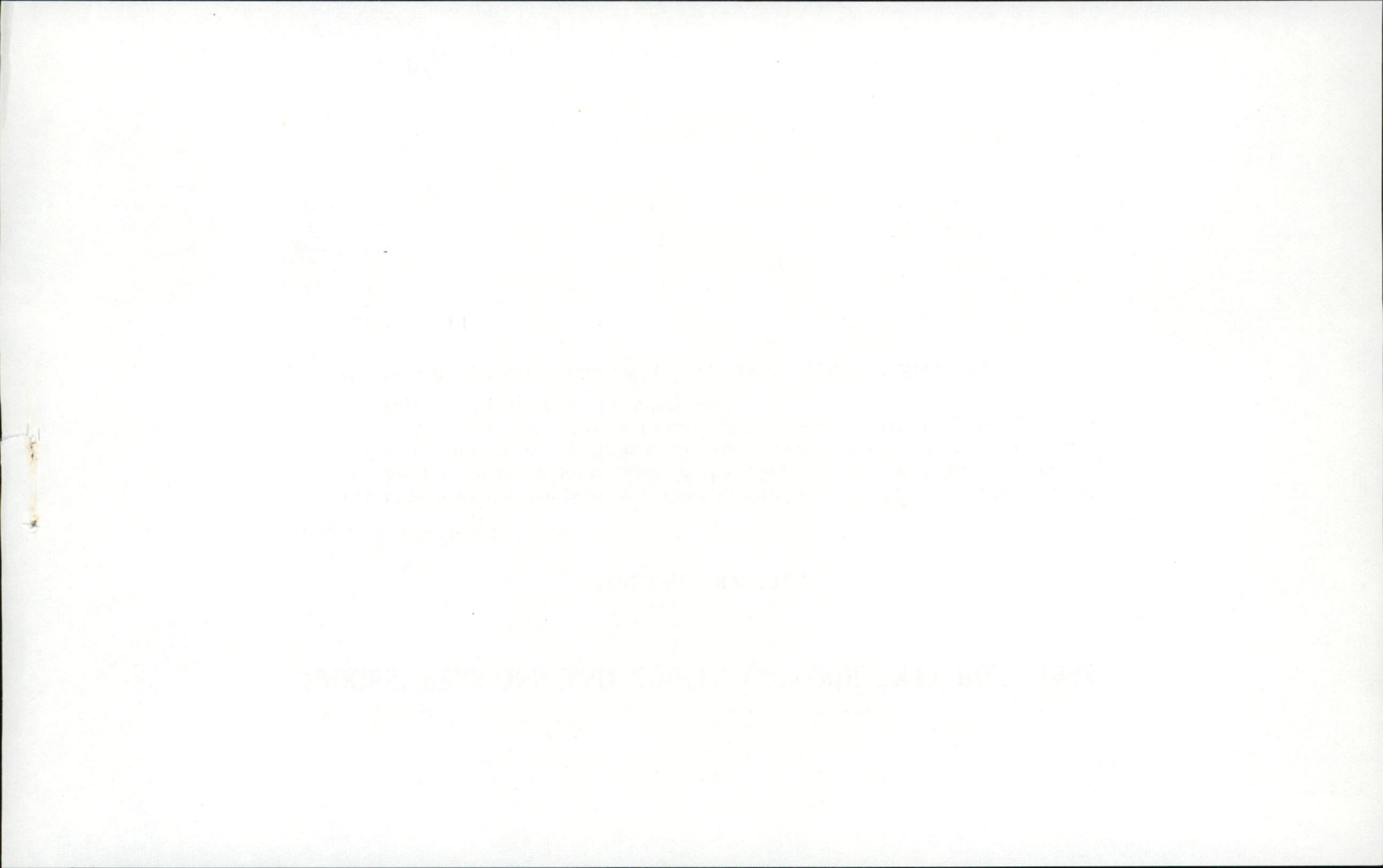
3. The Equity Act, 1901-1968, is amended by omitting from paragraph (b) of subsection one of section 71A the words "three and one-half" and by inserting in lieu thereof the word "five". Amendment of Act No. 24, 1901. Sec. 71A. (Tenure of office and pension of the Master.)

JUDGES' PENSIONS AND EQUITY (AMENDMENT) BILL, 1968

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to provide that the pension payable to a Judge or the Master in Equity, upon his retirement, is to increase at the additional rate of 5 per cent of his salary, instead of $3\frac{1}{2}$ per cent, for each completed year of service in excess of five years, but not so as to increase the maximum rate of pension payable beyond 60 per cent of his salary; and
- (b) to make other provisions of a minor or consequential character.



PROOF

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(2) The Judges' Pensions Act, 1953, as subsequently amended and as amended by this Act, may be cited as the Judges' Pensions Act, 1953-1968.

(3) The Equity Act, 1901, as subsequently amended and as amended by this Act, may be cited as the Equity Act, 1901-1968.

2. The Judges' Pensions Act, 1953-1965, is amended—

- 10 (a) by omitting from section three the words "three and one-half" and by inserting in lieu thereof the word "five";
- (b) by inserting next after subsection three of section eleven the following new subsection :—

15 (4) Notwithstanding anything in this Act, the amendment made to section three of this Act by the Judges' Pensions and Equity (Amendment) Act, 1968, shall not apply to and in relation to a judge who before the commencement of that Act retired from his judicial office as referred to in that section.

20 3. The Equity Act, 1901-1968, is amended by omitting from paragraph (b) of subsection one of section 71A the words "three and one-half" and by inserting in lieu thereof the word "five".