

**JUDICIAL OFFICERS LEGISLATION (AMENDMENT)
ACT 1990 No. 56**

NEW SOUTH WALES



TABLE OF PROVISIONS

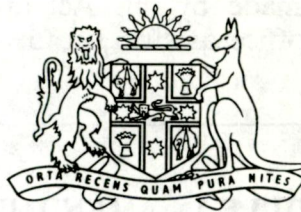
1. Short title
2. Commencement
3. Amendment of certain Acts
4. Transitional provision

SCHEDULE 1 - AMENDMENTS



**JUDICIAL OFFICERS LEGISLATION (AMENDMENT)
ACT 1990 No. 56**

NEW SOUTH WALES



Act No. 56, 1990

An Act to amend the Judicial Officers Act 1986 and various other Acts to increase the retirement age for certain judicial officers; and for other purposes. [Assented to 26 September 1990]

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Judicial Officers Legislation (Amendment) Act 1990.

Commencement

2. This Act commences on the date of assent.

Amendment of certain Acts

3. Each Act specified in Schedule 1 is amended in the manner set out in that Schedule.

Transitional provision

4. The amendments made by this Act apply to judicial officers whether or not holding office as such on the commencement of this Act.

SCHEDULE 1 - AMENDMENTS

(Sec. 3)

**PART 1 - AMENDMENT OF JUDICIAL OFFICERS
ACT 1986 No. 100**

Section 44 (Retirement of judicial officers):

From section 44 (1), omit "70 years", insert instead "72 years".

PART 2 - CONSEQUENTIAL AMENDMENT OF OTHER ACTS

Compensation Court Act 1984 No. 89

Section 11 (Acting Chief Judge and acting Judges):

From section 11 (6), omit "70 years", insert instead "72 years".

SCHEDULE 1 - AMENDMENTS - *continued*

District Court Act 1973 No. 9

Section 18 (**Acting Judges**):

From section 18 (4), omit "70 years", insert instead "72 years".

Industrial Arbitration Act 1940 No. 2

Section 14 (**Industrial commission**):

- (a) From section 14 (2) (a), omit "70 years", insert instead "72 years".
- (b) From section 14 (4A), omit "70 years", insert instead "72 years".

Judges' Pensions Act 1953 No. 41

Section 4 (**Pension to judge retiring voluntarily at or after age sixty**):

Omit "seventy years", insert instead "72 years".

Section 5 (**Pension for judge who retired, or retires, on account of ill-health**):

From section 5 (2), omit "70 years", insert instead "72 years".

Section 6 (**Pension for widow of judge or retired judge**):

From section 6 (5), omit "seventy years", insert instead "72 years".

Land and Environment Court Act 1979 No. 204

Section 11 (**Acting Judges**):

From section 11 (4), omit "70 years", insert instead "72 years".

Supreme Court Act 1970 No. 52

Section 37 (**Acting Judges**):

From section 37 (4), omit "70 years", insert instead "72 years".

SCHEDULE 1 - AMENDMENTS - *continued*

Section 111 (**Appointment of masters and acting masters**):

From section 111 (6), omit "70 years", insert instead "72 years".

Section 115 (**Resignation and tenure of masters and acting masters**):

From section 115 (4), omit "70 years", insert instead "72 years".

[*Minister's second reading speech made in -
Legislative Assembly on 13 September 1990
Legislative Council on 19 September 1990*]



FIRST PRINT

**JUDICIAL OFFICERS LEGISLATION (AMENDMENT)
BILL 1990**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Judicial Officers Act 1986 to increase the retirement age for certain judicial officers (Judges and judicial members of the Industrial Commission) from 70 years to 72 years.

The Bill amends the Judges' Pensions Act 1953 to make it clear that the new retirement age does not affect pension entitlements under that Act.

The Bill also amends the following Acts consequentially:

Compensation Court Act 1984
District Court Act 1973
Industrial Arbitration Act 1940
Land and Environment Court Act 1979
Supreme Court Act 1970

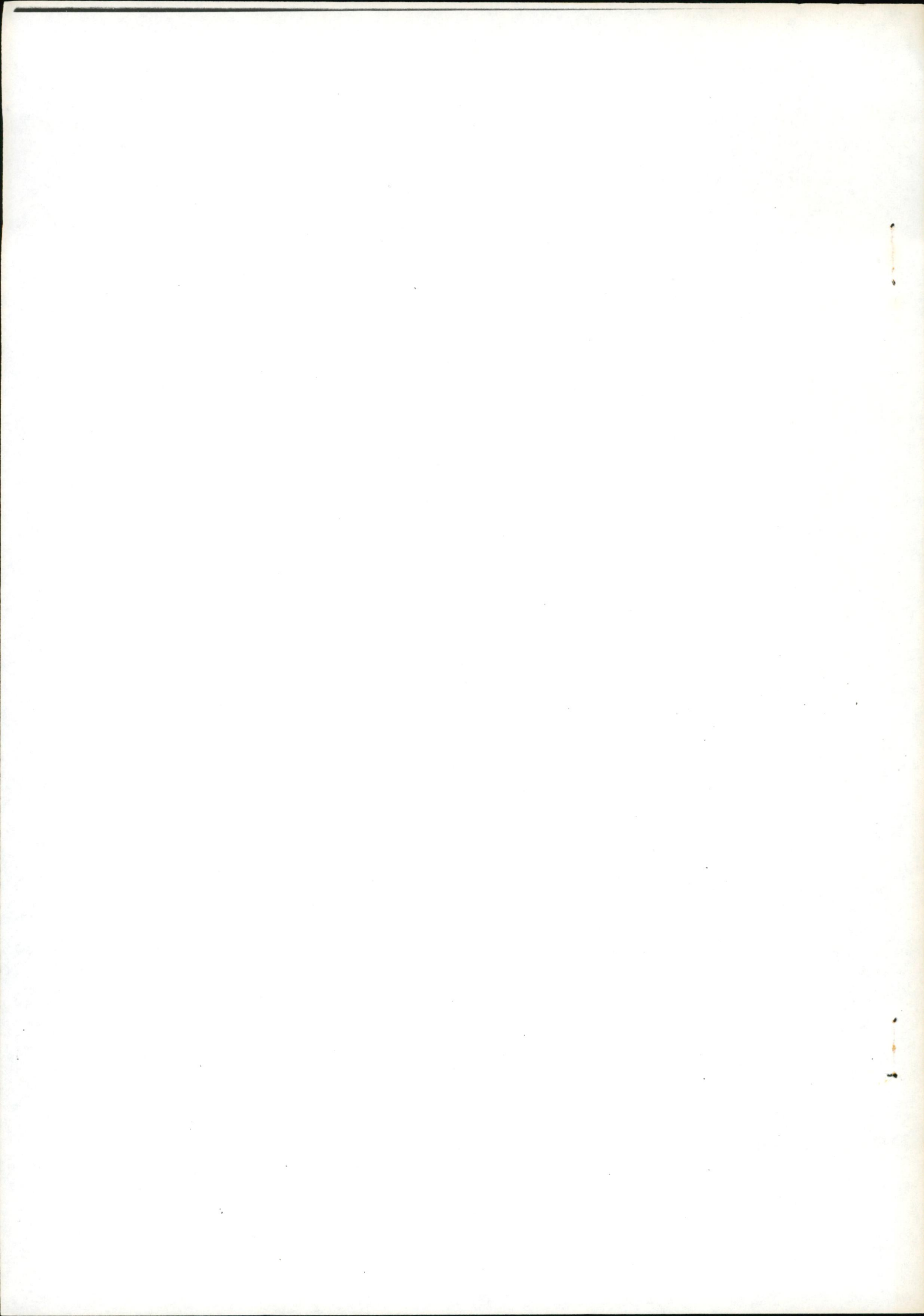
Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on the date of assent.

Clause 3 is a formal provision which gives effect to the Schedule of amendments.

Clause 4 is a transitional provision which makes it clear that the new retirement age applies to judicial officers holding office when the proposed Act commences.

Schedule 1 makes the amendments described above.



FIRST PRINT

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BILL 1990**

NEW SOUTH WALES



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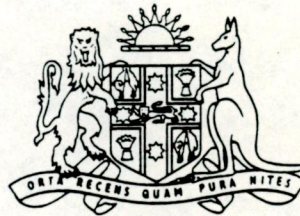
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SCHEDULE 1 - AMENDMENTS



**JUDICIAL OFFICERS LEGISLATION (AMENDMENT)
BILL 1990**

NEW SOUTH WALES



No. , 1990

A BILL FOR

An Act to amend the Judicial Officers Act 1986 and various other Acts to increase the retirement age for certain judicial officers; and for other purposes.

Judicial Officers Legislation (Amendment) 1990

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Judicial Officers Legislation (Amendment) Act 1990.

Commencement

2. This Act commences on the date of assent.

Amendment of certain Acts

3. Each Act specified in Schedule 1 is amended in the manner set out in that Schedule.

Transitional provision

4. The amendments made by this Act apply to judicial officers whether or not holding office as such on the commencement of this Act.

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(Sec. 3)

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SCHEDULE 1 - AMENDMENTS - *continued*

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Section 115 (Resignation and tenure of masters and acting masters):

From section 115 (4), omit "70 years", insert instead "72 years".
