

*Judges' Retirement Act.* 12 GEO. V. No. 14,

Reprinting  
Act.

25. In all copies of \**"The Regulation of Sugar Cane Prices Acts, 1915 to 1917,"* as amended by this Act, hereafter printed by the Government Printer, the sections, subsections, and lettered paragraphs thereof shall be renumbered and relettered so as to be in consecutive numerical or alphabetical order as the case may require throughout, and all specific references to any section, subsection, or other provision by its number or alphabetical letter in any enactment contained in this Act or in any other Act shall be amended by the substitution of the proper number or letter of the reprinted Act.

### SUPREME COURT.

*Judges' Retirement Act of 1921* .. .. . 12 *Geo. V. No. 14.*

*Supreme Court Act of 1921* .. .. . 12 *Geo. V. No. 15.*

12 Geo. V.  
No. 14.  
THE  
JUDGES'  
RETIREMENT  
ACT OF 1921.

**An Act to Amend the Constitution of Queensland by fixing an Age Limit for the Retirement of Judges of the Supreme Court, and to fix an Age Limit for the Retirement of other Judges, and for other purposes.**

[ASSENTED TO 5TH NOVEMBER, 1921.]

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

Short title,  
construction,  
and  
commence-  
ment  
of Act.

1. (1.) This Act may be cited as "*The Judges' Retirement Act of 1921*," and shall be read and construed with and as an amendment of the Constitution of Queensland, † "*The Supreme Court Acts, 1861 to 1903*," ‡ "*The Industrial Arbitration Act of 1916*," and § "*The District Courts Act, 1891*."

(2.) This Act shall come into operation on a day to be fixed by the Governor in Council by proclamation published in the *Gazette*.

Interpreta-  
tion.  
Constitution  
of  
Queensland.

2. In this Act—

"Constitution of Queensland" means and includes the Order in Council of Her late Majesty Queen Victoria

\* 6 Geo. V. No. 5 and 8 Geo. V. No. 18, *supra*, pages 8377.

† 25 Vic. No. 13 and amending Acts, *supra*, pages 3429 *et seq.*

‡ 7 Geo. V. No. 16, *supra*, page 7538. § 55 Vic. No. 33, *supra*, page 575.

1921.

*Judges' Retirement Act.*

dated the sixth day of June, one thousand eight hundred and fifty-nine, referred to in the preamble to the \**Constitution Act of 1867*” and the \**Constitution Act of 1867*,” and each and every Act amending, altering, or repealing, or purporting to amend, alter, or repeal any of the provisions of the abovementioned Order in Council and Act, or either of them.

“Existing Judge” means any person who at the date of the commencement of this Act holds any of the following offices:—

- (a) Chief Justice of Queensland ;
- (b) Senior Puisne Judge of the Supreme Court ;
- (c) President of the Court of Industrial Arbitration ;
- (d) Judge of the Supreme Court ;
- (e) Judge of the Court of Industrial Arbitration ;
- (f) Judge of District Courts.

“Future Judge” means any person who after the date of the commencement of this Act is appointed to hold and holds any of the following offices:—

- (a) Chief Justice of Queensland ;
- (b) Senior Puisne Judge of the Supreme Court ;
- (c) President of the Court of Industrial Arbitration ;
- (d) Judge of the Supreme Court ;
- (e) Judge of the Court of Industrial Arbitration ;
- (f) Judge of District Courts ;

The term includes an existing Judge who is hereafter appointed to any of the aforesaid offices other than the office which he presently holds.

3. Notwithstanding anything contained in the Constitution of Queensland or in †*“The Supreme Court Acts, 1861 to 1903,”* or in ‡*“The Industrial Arbitration Act of 1916,”* or in §*“The District Courts Act, 1891,”* or in any other Act—

Every existing Judge who at the date of the commencement of this Act has attained the age of seventy years shall retire from office on the said date, and

\* 31 Vic. No. 38, *supra*, page 305.

† 25 Vic. No. 13 and amending Acts, *supra*, pages 3429 *et seq.*

‡ 7 Geo. V. No. 16, *supra*, page 7538.

§ 55 Vic. No. 33, *supra*, page 575.

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Every existing Judge and every future Judge who shall hereafter attain the age of seventy years shall retire from office on the day on which he attains such age ;

and thereupon in every such case the office of such Judge shall by virtue of this Act become vacant, save for the purpose of completing the trial of any action as next hereinafter provided, and such office may, notwithstanding the pendency of any such trial, be filled by the appointment of any duly qualified person :

Provided that, if the office of such Judge becomes vacant as aforesaid during the course of any trial on which he has entered as Judge, he shall continue in office for such time as is necessary to enable him to complete such trial.

No retiring  
pension to  
future  
Judges.

4. (1.) Notwithstanding anything contained in the Constitution of Queensland or in \**The Supreme Court Acts, 1861 to 1903.*" or in †*"The District Courts Act, 1891,"* or in any other Act, no future Judge shall be entitled on his retirement for any cause whatsoever from office to any pension in respect thereof.

Saving of  
pension  
rights of  
existing  
Judges.

(2.) Nothing in this Act shall prejudice or affect the right of any existing Judge to any pension provided for his office on retirement. If any existing Judge retires from office by reason of having attained the age of seventy years, he shall be entitled to such pension as if all conditions, including any prescribed term of service, had been fulfilled necessary to entitle him to such pension.

If any existing Judge is hereafter appointed to any of the aforesaid offices other than that which he presently holds and thereupon vacates the office which he presently holds he shall, for the purposes of any right to pension upon retirement, be deemed to have continued in the office which he presently holds until the date of his retirement from such other office.

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\* 25 Vic. No. 13 and amending Acts, *supra*, pages 3429 *et seq.*

† 55 Vic. No. 33, *supra*, page 575.