

# JUDICIARY.

## No. 39 of 1926.

An Act to amend the *Judiciary Act* 1903-1920.

[Assented to 11th August, 1926.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

- 1.—(1.) This Act may be cited as the *Judiciary Act* 1926. Short title and citation.
- (2.) The *Judiciary Act* 1903-1920\* is in this Act referred to as the Principal Act.
- (3.) The Principal Act, as amended by this Act, may be cited as the *Judiciary Act* 1903-1926.
2. Section ten of the Principal Act is amended—
  - (a) by inserting before the words "The principal seat" (first occurring) the words "On and after a date to be fixed by Proclamation"; and
  - (b) by omitting the words "Until the seat of Government is established" and inserting in their stead the words "Until the date so fixed".Principal seat of the High Court.

3. After section forty-eight of the Principal Act, the following heading and section are inserted :—

### "Pensions of Justices.

"48A.—(1.) Where a Justice of the High Court has served in that office for not less than fifteen years, he shall, on retiring, be entitled to an annual pension at the rate of one-half of his salary. Pensions of Justices.

"(2.) If a Justice of the High Court retires on permanent disability or infirmity, he shall, if he has served in that office for not less than five years, be entitled, on retiring, to an annual pension at the rate of twenty one-hundredths of his salary and at the additional rate of three one-hundredths of his salary for each complete year of his service after the expiration of the said five years to the date of his retirement, but so that the rate of his pension shall not exceed one-half of his salary.

"(3.) Where a Justice of the High Court has, prior to his appointment, served in any other judicial office under the Commonwealth, pension shall not be payable to him except in pursuance of this Act, but the term of his prior service shall, for the purposes of this section, be added to, and be deemed to be part of, his service as a Justice of the High Court.

"(4.) The pensions of the Justices of the High Court shall be charged on and paid out of the Consolidated Revenue Fund.

"(5.) They shall grow due from day to day, but shall be payable monthly."

\* Act No. 6, 1903, as amended by No. 5, 1906; No. 8, 1907; No. 34, 1910; No. 31, 1912; No. 11, 1914; No. 4, 1915; and No. 38, 1920.