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**ELIZABETHAE II REGINAE**

A.D. 1960

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**No. 67 of 1960**

An Act to amend the Supreme Court Act, 1935-1958.

[Assented to 24th November, 1960.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

**Short titles.**

**1.** (1) This Act may be cited as the "Supreme Court Act Amendment Act, 1960".

(2) The Supreme Court Act, 1935-1958, as amended by this Act, may be cited as the "Supreme Court Act, 1935-1960".

(3) The Supreme Court Act, 1935-1958, is hereinafter referred to as "the principal Act".

**Incorporation.**

**2.** This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

**Enactment of principal Act, s. 13eb—**

**3.** The following section is inserted in the principal Act after section 13ea thereof :—

**Right of certain judges to contribute for pension.**

**13eb.** (1) Notwithstanding anything in this Act contained, a Judge who holds office at the time of the passing of the Supreme Court Act Amendment Act, 1960, and has at that time reached the age of seventy years may elect to contribute for pension under this section within three months after such passing.

(2) Any such Judge who so elects to contribute for pension shall in each month pay to the Treasurer in aid of the General Revenue of the State a contribution equal to the prescribed percentage of his salary for that month.

The prescribed percentage shall depend on the age which the Judge had reached at the time of the passing of the Supreme Court Act Amendment Act, 1944, in accordance with the table set out in subsection (2) of section 13d of this Act.

(3) A Judge who elects to contribute for pension under this section shall pay contributions in respect of the period commencing on the first day of the month in which the election is made and ending on the last day of the month preceding the month in which the Judge retires.

(4) Where a Judge has paid contributions in accordance with this section, he or his widow shall be entitled to the following benefits :—

(a) Where the Judge retires, he shall be entitled to a pension for life at the annual rate of one-half of the annual rate of his salary at the time of his retirement :

(b) Where the Judge dies before or after retirement and is survived by a widow, she shall be entitled to a pension for life at the annual rate of one-quarter of the annual rate of the salary of her husband immediately before his death or retirement as the case may be.

(c) Where the Judge dies before retirement without leaving a widow his personal representatives shall be entitled to a refund of the contributions paid by him.

(5) Pensions and other sums payable under this section shall be paid by the Treasurer out of the general revenue of the State on the warrant of the Governor, which warrant the Governor is hereby authorized and required to issue from time to time. Such pensions shall accrue from day to day and be paid monthly.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.