

**NORTHERN TERRITORY OF AUSTRALIA**

**SUPREME COURT (JUDGES PENSIONS) ACT 1980**

As in force at 1 June 2023

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 June 2023

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## SUPREME COURT (JUDGES PENSIONS) ACT 1980

### An Act to provide for pensions to Judges

#### Part 1 Preliminary matters

##### 1 Short title

This Act may be cited as the *Supreme Court (Judges Pensions) Act 1980*.

##### 2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

##### 3 Interpretation

(1) In this Act:

**acting Judge** and **additional Judge** have the meanings ascribed thereto by the *Supreme Court Act 1979*.

**appropriate current judicial salary**, in relation to a Judge who has retired or died, means salary at the rate that would have been payable to the Judge if the Judge had not retired or died.

**ATO** means the Commonwealth Commissioner of Taxation.

**child** includes an adopted child.

**eligible child** means:

- (a) a child who has not attained the age of 16 years; or
- (b) a child who:
  - (i) has attained the age of 16 years but has not attained the age of 25 years; and
  - (ii) is receiving full-time education at a school, college or university.

**further relationship** has the meaning in section 3AB.

**Judge** means a Supreme Court Judge other than an acting Judge or additional Judge.

**prior judicial service**, in relation to a Judge or retired Judge means service as a judge of a court constituted by or under the law of another State or Territory or of the Commonwealth (other than service as a Local Court Judge, magistrate or justice of the peace) being service prior to the appointment of that person as a Judge.

**retired Judge** means a person who has been a Judge and is or has been in receipt of a pension under this Act.

**retires**, in relation to a Judge, means ceases to be a Judge otherwise than by death.

**superannuation contributions surcharge** means the superannuation contributions surcharge imposed under the Surcharge Act.

**superannuation interest** means an interest that a Judge or former Judge has under this Act.

**Surcharge Act** means the *Superannuation Contributions Tax Imposition Act 1997* of the Commonwealth and includes regulations under that Act.

**Surcharge Collection Act** means the *Superannuation Contributions Tax (Assessment and Collection) Act 1997* of the Commonwealth and includes regulations under that Act.

**surviving partner** has the meaning in section 3AA.

*Note for subsection (1)*

*The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.*

- (2) For this Act, any of the following periods served by a Judge are taken to be a period of service as a Judge and are added to the Judge's period of service as a Judge:
  - (a) a period of service as an acting Judge;
  - (b) another period of prior judicial service.
- (3) For subsection (2) it is immaterial whether the Judge served a period mentioned in paragraph (a) or (b) immediately before a period of service as a Judge.

**3AA Surviving partners**

- (1) For this Act, the surviving partner of a Judge or retired Judge who dies is the surviving spouse or de facto partner of the Judge.
- (2) If a Judge or retired Judge is survived by both a spouse and a de facto partner, the surviving partner is:
  - (a) the de facto partner if:
    - (i) the de facto partner was the de facto partner of the Judge for a continuous period of at least 2 years immediately preceding the Judge's death; and
    - (ii) the spouse had not lived with the Judge at any time during that period; or
  - (b) the spouse if paragraph (a) does not apply.

**3AB Further relationships**

- (1) For this Act, a surviving partner enters a further relationship if the surviving partner marries or enters a de facto relationship.
- (2) For this Act, if a surviving partner enters a further relationship and the parties to the relationship adopt a child who is not a child of the surviving partner, the child is taken to be a child of the further relationship.

**Part 2 Superannuation surcharge****3A Act to be administered so as to comply with superannuation surcharge laws and agreements with Commonwealth**

- (1) This Act is to be administered in accordance with:
  - (a) the Surcharge Act and the Surcharge Collection Act; and
  - (b) a written agreement entered into by the Territory and the Commonwealth relating to exempt public sector superannuation schemes within the meaning of section 10 of the *Superannuation Industry (Supervision) Act 1993* of the Commonwealth.
- (2) If a provision of this Act is inconsistent with a provision of the Surcharge Act or the Surcharge Collection Act, the provision of this Act is to be taken to have been complied with if the provision of the Surcharge Act or the Surcharge Collection Act, as the case may be,

has been complied with.

### **3B Surcharge debt accounts**

- (1) The Treasurer must establish and maintain for the purposes of section 16 of the Surcharge Collection Act a surcharge debt account for each Judge in relation to whom superannuation contributions surcharge is paid or payable by the Treasurer.
- (2) The Treasurer must debit to the surcharge debt account of a Judge:
  - (a) superannuation contributions surcharge paid or payable by the Treasurer in respect of the Judge; and
  - (b) interest payable under the Surcharge Collection Act on the amount by which the account is in debit.
- (3) The Treasurer must credit to the surcharge debt account of a Judge an amount paid under section 3C by the Judge.

### **3C Advance payments to reduce superannuation contributions surcharge**

- (1) A Judge may, on lodging an approved election form with the Treasurer, pay an amount to the Territory for the purpose of reducing the amount by which the Judge's surcharge debt account is in debit.
- (2) A payment under this section may be made on a periodic or single payment basis.
- (3) An election form lodged under subsection (1) is to specify the amount to be paid and the manner of payment.
- (4) A Judge may, on lodging with the Treasurer, in the approved election form:
  - (a) vary in accordance with the form the amount or manner of payment of periodic payments; or
  - (b) revoke an election under this section.
- (5) In this section, **approved election form** means a form approved by the Treasurer.

### **3D Repayment of surcharge**

The Treasurer may commute part of a pension payable under this Act in relation to a Judge to a lump sum for the purposes of paying to the Territory an amount equal to the balance of the Judge's

surcharge debt account.

**3E Commutation to pay deferred superannuation contributions surcharge**

- (1) If:
- (a) a retired Judge or a person is paid a pension under this Act; and
  - (b) the retired Judge or person has received from the ATO notice under section 15 of the Surcharge Collection Act that the retired Judge or person is liable to pay an amount of superannuation contributions surcharge specified in the notice; and
  - (c) the superannuation contributions surcharge relates to surchargeable contributions, within the meaning of the Surcharge Collection Act, that were made in relation to the retired Judge or to a Judge, or retired Judge, who has died,

the retired Judge or person may, within a reasonable period after the notice was given, request the Treasurer in writing to commute as much of the pension payable to the retired Judge or person as is necessary to provide a lump sum equivalent to the amount.

- (2) The Treasurer must, if satisfied that the commuted amount will be used to pay the superannuation contributions surcharge, comply with a request under subsection (1).

**Part 3 Pensions: Judges appointed before the commencement of Part 4**

**3F Application of Part**

- (1) This Part applies to a Judge who was appointed as a Judge under section 32(1)(c) or (d) of the *Supreme Court Act 1979* before the commencement of Part 4.
- (2) For this section, the date on which a Judge began a period of service mentioned in section 3(2) is irrelevant.

**4 Pensions of Judges**

- (1) If a Judge who has attained the age of 60 years retires after serving as a Judge for at least 10 years, the judge is entitled to a pension at a rate equal to 60% of the appropriate current judicial salary.

- (2) If:
- (a) a Judge, whether by reason of the Judge's terms of appointment or otherwise, is to cease to hold office as a Judge on attaining a particular age; and
  - (b) the Judge ceases to be a Judge on attaining that age; and
  - (c) at the time of cessation, the Judge had served as a Judge for at least 6 years; and
  - (d) the Judge is not a person to whom subsection (1) applies,
- the Judge is entitled to a pension at a rate equal to:
- (e) 0.5% of the appropriate current judicial salary for each completed month of service as a Judge; or
  - (f) 60% of the appropriate current judicial salary,
- whichever results in the lesser pension entitlement.
- (3) If a Judge, not being a Judge to whom subsection (1) or (2) applies, retires and the Attorney-General certifies that the retirement is due to permanent disability or infirmity, the Judge is entitled to a pension at a rate equal to:
- (a) if, at the time of the Judge's appointment, the Judge's period of service as a Judge could not exceed 10 years, 0.5% of the appropriate current judicial salary for each complete month:
    - (i) of service mentioned in section 3(2) (if any); and
    - (ii) that the Judge could have potentially served, calculated from the day on which the Judge was appointed as a Judge until the day on which the Judge would have ceased to hold office as a Judge on attaining a particular age; or
  - (b) in all other cases – 60% of the appropriate current judicial salary.

## **5 Pension to surviving partner on death of Judge**

If a Judge dies leaving a surviving partner, a pension shall be paid to the surviving partner at a rate equal to five-eighths of the rate of the pension that would have been payable to the Judge if the Judge had retired on the date of the Judge's death and (in a case where section 4(1) would not have been applicable in relation to that retirement) the Attorney-General had certified that that retirement



was due to permanent disability.

## **6 Pension to surviving partner on death of retired Judge**

If a retired Judge dies leaving a surviving partner who married, or entered a de facto relationship with, the retired Judge:

- (a) before the retirement; or
- (b) after the retirement but:
  - (i) before the retired Judge attained the age of 60 years; or
  - (ii) not less than 5 years before the retired Judge died,

a pension shall be paid to surviving partner at a rate equal to five-eighths of the rate of the pension that would have been payable to the retired Judge if the Judge had not died.

## **7 Pension in respect of children on death of Judge**

Where a Judge dies leaving a surviving partner there shall, in addition to any pension that is payable to the surviving partner under section 5, be paid to the surviving partner, in respect of each eligible child of the surviving partner or of the Judge (other than a child of any further relationship of the surviving partner) a pension at the rate of \$208 per annum.

## **8 Pension in respect of children on death of retired Judge**

- (1) Subject to this section, where a retired Judge dies leaving a surviving partner, there shall, in addition to any pension that is payable to the surviving partner under section 6, be paid to the surviving partner in respect of each eligible child of the surviving partner or of the retired Judge (other than a child of any further relationship of the surviving partner) a pension at the rate of \$208 per annum.
- (2) If a retired Judge married, or entered a de facto relationship with, the Judge's surviving partner:
  - (a) after the Judge's retirement;
  - (b) after the Judge attained the age of 60 years; and
  - (c) less than 5 years before the Judge died,

a pension is not, upon the death of the retired Judge, payable under this section in respect of:

- (d) a child of that marriage or de facto relationship; or
- (e) any other child of the surviving partner.

## **9 Pension in respect of children on death of surviving partner**

- (1) Subject to this section, where the surviving partner of a Judge or retired Judge, being a surviving partner who became entitled upon the death of the Judge or retired Judge to a pension under this Act, has died, there shall be paid, in respect of each eligible child of the surviving partner of the Judge or retired Judge (other than a child of any further relationship of the surviving partner) a pension at the rate of \$520 per annum or at the rate of such amount per annum as is determined in accordance with subsection (2), whichever is the higher rate.
- (2) The amount to be determined for the purposes of subsection (1) is the sum of \$208 and an amount ascertained by dividing by 4 (or, if the number of eligible children in respect of whom pension is payable under this section is greater than 4, by the number of those children) the annual amount of the pension that, but for the death of the surviving partner, would, by virtue of section 5 or 6, have been payable to the surviving partner.
- (3) If a retired Judge married, or entered a de facto relationship with, the Judge's surviving partner:
  - (a) after the Judge's retirement;
  - (b) after the Judge attained the age of 60 years; and
  - (c) less than 5 years before the Judge died,a pension is not, upon the death of the surviving partner of the retired Judge, payable under this section in respect of:
  - (d) a child of that marriage or de facto relationship; or
  - (e) any other child of the surviving partner.

## **10 Pension in respect of children when surviving partner's pension not payable**

- (1) Subject to this section, where a Judge or retired Judge has died without leaving a surviving partner who became entitled, upon the death of the Judge or retired Judge, to a pension under this Act, there shall be paid, in respect of each eligible child of the Judge or retired Judge or of a person (whether deceased or not) who was at any time the spouse or de facto partner of that Judge or retired

Judge, a pension at the rate of \$520 per annum or at the rate of such amount per annum as is determined in accordance with subsection (2), whichever is the higher rate.

- (2) The amount to be determined for the purposes of subsection (1) is the sum of \$208 and an amount ascertained by dividing by 4 (or, if the number of eligible children in respect of whom pension is payable under this section is greater than 4, by the number of those children) the annual amount of the pension that would, by virtue of section 5, have been payable to a surviving partner of the Judge, or would, by virtue of section 6, have been payable to a surviving partner of the retired Judge who married, or entered a de facto relationship with, the retired Judge before the retirement of the retired Judge.
- (3) This section does not apply in relation to:
  - (a) a child of a former spouse or de facto partner of a Judge or retired Judge;
  - (b) a child of a marriage or de facto relationship of a retired Judge that occurred or was entered into:
    - (i) after the retirement of the Judge;
    - (ii) after the retired Judge attained the age of 60 years; and
    - (iii) less than 5 years before the retired Judge died.

## **11 Payment of orphans' pensions**

A pension in respect of a child under either section 9 or 10 is to be paid to the guardian of the child for the child's support and education.

## **13 Special provision relating to pensions payable to children**

- (1) Notwithstanding anything contained in the provisions of this Act other than this section, where a pension is payable under this Act in respect of an eligible child:
  - (a) if the Attorney-General is of the opinion that the child's support and education will be best assured by doing so, the Attorney-General may direct that the pension be paid to a person specified by the Attorney-General; or

- (b) if the Attorney-General is satisfied that, by reason of special circumstances, it is desirable to do so in the interests of the child, the Attorney-General may direct that the pension be expended for the benefit of the child in a specified manner.
- (2) Where a pension referred to in subsection (1) is payable to the surviving partner of a Judge or retired Judge, the power of the Attorney-General to direct payment of the pension to another person applies only where the child is not living with the surviving partner.

## **Part 4                    Pensions: Judges appointed on or after the commencement of this Part**

### **13A            Application of Part**

- (1) This Part applies to a Judge:
- (a) who is appointed as a Judge under section 32(1)(c) or (d) of the *Supreme Court Act 1979*; and
  - (b) to whom Part 3 does not apply.

*Note for subsection (1)*

*Part 3 applies to a Judge who was appointed as a Judge under section 32(1)(c) or (d) of the Supreme Court Act 1979 before the commencement of this Part.*

- (2) For this section, the date on which a Judge began a period of service mentioned in section 3(2) is irrelevant.

### **13B            Pension of Judge who retires after 15 years of service**

- (1) A Judge is entitled to a pension under this section if, when the Judge ceases to hold office as a Judge, the Judge:
- (a) has served as a Judge for 15 years or more; and
  - (b) is at least 65 years of age.
- (2) The pension is to be paid at a rate equal to 60% of the appropriate current judicial salary.

**13C Pension of Judge in other circumstances**

- (1) A Judge is entitled to a pension under this section if:
  - (a) the Judge, whether by reason of the terms of the Judge's appointment or otherwise, is to cease to hold office as a Judge on the Judge attaining a particular age; and
  - (b) the Judge ceases to be a Judge on the Judge attaining that age; and
  - (c) at the time of the cessation, the Judge had served as a Judge for at least 9 years; and
  - (d) section 13B does not apply to the Judge.
- (2) The pension is to be paid at the lesser of the following rates:
  - (a) one-third of 1% of the appropriate current judicial salary for each completed month of the Judge's period of service as a Judge;
  - (b) 60% of the appropriate current judicial salary.

**13D Pension of Judge who retires due to permanent disability or infirmity**

- (1) A Judge is entitled to a pension under this section if:
  - (a) sections 13B and 13C do not apply to the Judge; and
  - (b) the Judge retires and the Attorney-General certifies that the retirement is due to permanent disability or infirmity.
- (2) The pension is to be paid at one of the following rates:
  - (a) if, at the time of the Judge's appointment as a Judge, the Judge's period of service as a Judge could not exceed 15 years – one-third of 1% of the appropriate current judicial salary for:
    - (i) each completed month of service as a Judge (if any); and
    - (ii) each complete month of service the Judge could have served from the date of retirement until the Judge would have ceased to hold office on attaining a particular age;

- (b) in any other case – 60% of the appropriate current judicial salary.

*Examples for subsection (2)*

- 1 *A Judge serves as a Judge for 8 years before retiring due to permanent disability on the day the Judge turns 70. The Judge had not served a period mentioned in section 3(2). Under the Supreme Court Act 1979, the Judge could have continued to hold office for another 5 years until turning 75. However, at the time of the Judge's appointment the Judge could not have held office for 15 years so the Judge is entitled to a pension under subsection (2)(a).*
- 2 *A Judge serves as a Judge for 8 years before retiring due to permanent disability on the day the Judge turns 70. The Judge had previously served as an acting Judge for 4 years. Under the Supreme Court Act 1979, the Judge could have continued to hold office for another 5 years until turning 75. Accordingly, after accounting for the Judge's prior service as an acting Judge, the Judge could have served more than 15 years until attaining the age of 75 and the Judge is entitled to a pension under subsection (2)(b).*

## **Part 5                      Reduction of pension entitlement to pay tax debts**

### **13E              Definitions**

In this Part:

**Commonwealth Act** means the *Taxation Administration Act 1953* (Cth).

**pension recipient** means a person who is entitled (or is about to become entitled) to receive a pension under this Act.

**release authority** means an authority issued to a pension recipient by the ATO under item 3 of the table in section 135-10(1) of Schedule 1 to the Commonwealth Act that authorises the Treasurer to release to the ATO an amount to which the pension recipient is entitled under this Act.

**release authority lump sum** means an amount paid by the Treasurer under section 13F.

### **13F              Payment of release authority lump sum**

- (1) The Treasurer may pay to the ATO a release authority lump sum from a pension recipient's entitlements if:
  - (a) the ATO issues a release authority to the pension recipient; and

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- (b) the release authority is given to the Treasurer in accordance with the Commonwealth Act.
- (2) Subject to section 13G, the amount of the release authority lump sum is the smaller of the following amounts:
    - (a) the amount stated in the release authority;
    - (b) if either the pension recipient or the ATO requests that the Treasurer pay a specified amount in relation to the release authority – that amount.

*Note for section 13F*

*The Commonwealth Act provides for money to be released from a superannuation plan to pay a tax liability incurred under Chapter 3, Part 3-30, Division 293 of the Income Tax Assessment Act 1997 (Cth).*

### **13G Limit on release authority lump sum**

- (1) In addition to any requirements in Division 135 of Schedule 1 to the Commonwealth Act, payment of a release authority lump sum must not have the effect that a pension recipient's entitlements under this Act are reduced below zero.
- (2) For subsection (1), the effect of a release authority lump sum on a pension recipient's entitlements is to be calculated after taking account of any of the following reductions to the recipient's entitlements:
  - (a) a reduction after a commutation under section 3E;
  - (b) a reduction resulting from action taken under section 16.

### **13H Effect of releasing amount**

- (1) If the Treasurer pays a release authority lump sum, the pension recipient's entitlements under this Act must be reduced to ensure the Territory recovers the amount of the release authority lump sum.
- (2) The Treasurer must take advice from an actuary in determining a reduction in pension entitlements under this section.
- (3) A reduction takes effect on the first day on which an entitlement under this Act is to be paid to the recipient that is more than 14 days after the Treasurer is given the release authority.
- (4) If a retired Judge entitled to a pension under Part 3 dies and the retired Judge's surviving partner is entitled to a pension under Part 3, any reduction under this section is to be applied to the

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surviving partner's entitlement on the first day on which the entitlement is to be paid to the surviving partner after the death of the retired Judge.

## **Part 6                    Miscellaneous provisions**

### **13J            Accrual and payment of pensions**

Pensions under this Act:

- (a) accrue from day to day but are payable fortnightly; and
- (b) are payable out of the public moneys of the Territory and the appropriation for that purpose is established or increased to the extent necessary.

### **14            Pension not payable on removal of Judge**

Unless the Administrator otherwise directs, a pension under this Act is not payable by reason of the service of a Judge who has been removed from office under section 40 of the *Supreme Court Act 1979*.

### **15            Adjustment for other pensions**

(1) Where:

- (a) a pension is payable under this Act by reason of the service of a person as a Judge; and
- (b) a pension is or becomes payable otherwise than under this Act in respect of the prior judicial service of that person,

the amount of the pension that would, but for this subsection, be payable under this Act in respect of any period shall be reduced by the amount of the pension in respect of the prior judicial service that is payable in respect of that period.

- (2) In this section, a reference to a pension in respect of prior judicial service shall be read as a reference to a pension or retiring allowance paid or payable, whether by virtue of a law or otherwise, out of moneys provided in whole or in part by the Territory, a State, the Commonwealth or another Territory, being a pension or retiring allowance paid or payable by reason of prior judicial service or prior judicial service and any other service.



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**16 Act to be administered so as to comply with Family Law Act provisions in relation to superannuation**

- (1) This section applies despite any other provision of this Act.
- (2) This Act is to be administered in accordance with the provisions of the Family Law Act relating to superannuation.
- (3) Subject to the provisions of the Family Law Act relating to superannuation, this Act is to be administered in relation to a person in accordance with the provisions of a splitting instrument, if any, that applies in relation to the person.
- (4) The Treasurer may prepare written administrative instructions that are necessary or convenient to give effect to:
  - (a) the provisions of the Family Law Act relating to superannuation;
  - (b) splitting instruments; and
  - (c) Acts of the Commonwealth relating to superannuation and regulations under those Acts.
- (5) Without limiting the generality of subsection (4), administrative instructions for the purposes of that subsection may include, but are not limited to, the following:
  - (a) the methods of calculating and paying a superannuation interest to member spouses and non-member spouses, including calculations that may reduce the superannuation interest of a member spouse;
  - (b) the establishing of interests and accounts, including accounts under the *Superannuation Act 1986*, for non-member spouses.
- (6) An administrative instruction prepared under subsection (4) takes effect on the date specified in the instruction.
- (7) If a provision of this Act or the administrative instructions made under this section is inconsistent with:
  - (a) a provision of the Family Law Act relating to superannuation; or
  - (b) a splitting instrument,

the provision of this Act or the administrative instructions is taken to have been complied with if the provision of the Family Law Act or a splitting instrument, as the case may be, has been complied with.

(8) In this section:

**Family Law Act** means the *Family Law Act 1975* (Cth) and includes regulations made under that Act.

**member spouse**, in relation to a superannuation interest, means the person who is the member spouse in relation to that interest under Part VIII B of the Family Law Act.

**non-member spouse**, in relation to a superannuation interest, means the person who is the non-member spouse in relation to that interest under Part VIII B of the Family Law Act.

**splitting instrument** means any of the following, within the meaning of Part VIII B of the Family Law Act:

- (a) a superannuation agreement;
- (b) a flag lifting agreement that provides for a payment split;
- (c) a splitting order.

## **17 Treasurer may charge fees for additional services**

The Treasurer may charge a person the reasonable cost of performing on behalf of the person a service in relation to this Act that the Treasurer undertakes at the request of the person.

## **Part 7 Transitional matters**

### **18 Transitional matters for *Judges and Administrators Pensions Legislation Amendment Act 2006***

- (1) The amendments made to this Act by Part 2 of the *Judges and Administrators Pensions Legislation Amendment Act 2006* have effect in relation to anyone holding office as a Judge before, on or after the commencement of this section.
- (2) However, the amendments do not create an entitlement to an amount of pension for a period before the commencement of this section.

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**ENDNOTES**
**1****KEY**

Key to abbreviations

**amd = amended**  
**app = appendix**  
**bl = by-law**  
**ch = Chapter**  
**cl = clause**  
**div = Division**  
**exp = expires/expired**  
**f = forms**  
**Gaz = Gazette**  
**hdg = heading**  
**ins = inserted**  
**lt = long title**  
**nc = not commenced**

**od = order**  
**om = omitted**  
**pt = Part**  
**r = regulation/rule**  
**rem = remainder**  
**renum = renumbered**  
**rep = repealed**  
**s = section**  
**sch = Schedule**  
**sdiv = Subdivision**  
**SL = Subordinate Legislation**  
**sub = substituted**

**2****LIST OF LEGISLATION*****Supreme Court (Judges Pensions) Act 1980 (Act No. 52, 1980)***

Assent date           4 June 1980  
 Commenced           2 April 1982 (*Gaz* G13, 2 April 1982, p 4)

***Supreme Court (Judges Pensions) Amendment Act 1985 (Act No. 19, 1985)***

Assent date           23 May 1985  
 Commenced           3 July 1985 (*Gaz* G26, 3 July 1985, p 5)

***Statute Law (Miscellaneous Amendments) Act 1991 (Act No. 77, 1991)***

Assent date           16 December 1991  
 Commenced           s 10: 2 April 1982; rem: 16 December 1991 (s 10(2), s 2  
*Supreme Court (Judges Pensions) Act 1980 (Act No. 52, 1980)* and *Gaz* G13, 2 April 1982, p 4)

***Financial Management (Consequential Amendments) Act 1995 (Act No. 5, 1995)***

Assent date           21 March 1995  
 Commenced           1 April 1995 (s 2, s 2 *Financial Management Act 1992 (Act No. 4, 1995)* and *Gaz* S13, 31 March 1995)

***Supreme Court (Judges Pensions) Amendment Act 1998 (Act No. 68, 1998)***

Assent date           23 September 1998  
 Commenced           20 October 1998 (*Gaz* S41, 20 October 1998)

***Supreme Court (Judges Pensions) Amendment Act 1999 (Act No. 62, 1999)***

Assent date           14 December 1999  
 Commenced           14 December 1999

***Supreme Court (Judges Pensions) Amendment Act 2003 (Act No. 9, 2003)***

Assent date           18 March 2003  
 Commenced           28 May 2003 (*Gaz* G21, 28 May 2003, p 3)

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***Law Reform (Gender, Sexuality and De Facto Relationships) Act 2003 (Act No. 1, 2004)***

Assent date 7 January 2004  
Commenced 17 March 2004 (*Gaz* G11, 17 March 2004, p 8)

***Judges and Administrators Pensions Legislation Amendment Act 2006 (Act No. 21, 2006)***

Assent date 28 June 2006  
Commenced 28 June 2006

***Financial Management Amendment Act 2009 (Act No. 15, 2009)***

Assent date 18 June 2009  
Commenced 18 June 2009

***Local Court (Related Amendments) Act 2016 (Act No. 8, 2016)***

Assent date 6 April 2016  
Commenced 1 May 2016 (s 2, s 2 *Local Court (Repeals and Related Amendments) Act 2016* (Act No. 9, 2016) and *Gaz* S34, 29 April 2016)

***Judicial and Other Officers' Entitlements Legislation Amendment Act 2023 (Act No. 14, 2023)***

Assent date 31 May 2023  
Commenced 1 June 2023 (s 2)

### 3 SAVINGS AND TRANSITIONAL PROVISIONS

- s 5 *Supreme Court (Judges Pensions) Amendment Act 1985* (Act No. 29, 1985)
- s 61 *Law Reform (Gender, Sexuality and De Facto Relationships Act 2003* (Act No. 1, 2004)

### 4 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: ss 1, 3, 14 and 16.

### 5 LIST OF AMENDMENTS

- pt 1 hdg ins No. 14, 2023, s 4
- s 3 amd No. 77, 1991, s 10; No. 68, 1998, s 4; No. 9, 2003, s 4; No. 1, 2004, s 52; No. 8, 2016, s 45; No. 14, 2023, s 5
- ss 3AA – 3AB ins No. 1, 2004, s 53
- pt 2 hdg ins No. 14, 2023, s 6
- ss 3A – 3B ins No. 68, 1998, s 5
- s 3C ins No. 68, 1998, s 5  
amd No. 14, 2023, s 12
- s 3D ins No. 68, 1998, s 5
- s 3E ins No. 62, 1999, s 2  
amd No. 14, 2023, s 12
- pt 3 hdg ins No. 14, 2023, s 7
- s 3F ins No. 14, 2023, s 7
- s 4 amd No. 19, 1985, s 4; No. 68, 1998, s 6; No. 14, 2023, s 12
- s 5 amd No. 68, 1998, s 6; No. 1, 2004, s 54; No. 21, 2006, s 3

## ENDNOTES

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s 6	amd No. 68, 1998, s 6; No. 1, 2004, s 55; No. 21, 2006, s 4
s 8	amd No. 68, 1998, s 6; No. 1, 2004, s 57; No. 14, 2023, s 12
s 9	amd No. 68, 1998, s 6; No. 1, 2004, s 58; No. 21, 2006, s 5; No. 14, 2023, s 12
s 10	amd No. 1, 2004, s 59
s 11	amd No. 14, 2023, s 12
s 12	amd No. 5, 1995, s 19; No. 15, 2009, s 16 rep No. 14, 2023, s 8
s 13	amd No. 68, 1998, s 6; No. 1, 2004, s 60; No. 14, 2023, s 12
pt 4 hdg	ins No. 14, 2023, s 9
ss 13A – 13D	ins No. 14, 2023, s 9
pt 5 hdg	ins No. 14, 2023, s 9
ss 13E – 13H	ins No. 14, 2023, s 9
pt 6 hdg	ins No. 14, 2023, s 9
s 13J	ins No. 14, 2023, s 9
s 16	ins No. 9, 2003, s 5 amd No. 14, 2023, s 10
s 17	ins No. 9, 2003, s 5
pt 7 hdg	ins No. 14, 2023, s 11
s 18	ins No. 21, 2006, s 6