

Queensland



# **JUDGES (PENSIONS AND LONG LEAVE) ACT 1957**

**Reprinted as in force on 1 April 2003  
(includes commenced amendments up to 2002 Act No. 74)**

**Reprint No. 3D**

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Warning—This reprint is not an authorised copy**

# Information about this reprint

This Act is reprinted as at 1 April 2003. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or of another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## **Dates shown on reprints**

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

**Replacement reprint date** If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

# Queensland



## JUDGES (PENSIONS AND LONG LEAVE) ACT 1957

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# JUDGES (PENSIONS AND LONG LEAVE) ACT 1957

[as amended by all amendments that commenced on or before 1 April 2003]

## **An Act to make provision for pensions and long leave for judges, and pensions for the families of judges**

### **1 Short title**

This Act may be cited as the *Judges (Pensions and Long Leave) Act 1957*.

### **2 Definitions**

In this Act—

“**eligible child**”, of a judge, see section 8A(1).

“**judge**” means—

- (a) a Supreme Court judge; or
- (b) a District Court judge.

“**live together as a couple**” means live together as a couple on a genuine domestic basis within the meaning of the *Acts Interpretation Act 1954*, section 32DA.<sup>1</sup>

“**notional pension**”, in relation to a judge who has died, means—

- (a) if the judge died before retirement—the pension to which the judge would be entitled under section 5 if the judge had not died but had retired, because of permanent disability or infirmity, on the day of death; or
- (b) if the judge died after retirement—the pension to which the judge would be entitled under this Act if the judge had not died.

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<sup>1</sup> *Acts Interpretation Act 1954*, section 32DA (Meaning of “de facto partner”)

**“salary”**—

- (a) for a judge who dies or retires after the commencement of the *Judges’ Pensions Act Amendment Act 1984*—means the annual rate of salary and allowances, including any general allowance and jurisprudential allowance, that would be payable to the judge or to which the judge could have become entitled, if the judge had not died or retired; and
- (b) for a judge who died or retired before the commencement of the *Judges’ Pensions Act Amendment Act 1984*—has the meaning given in section 2B.

**“surcharge liability”** means the amount a person is liable to pay to the commissioner of taxation, under the *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997* (Cwlth), section 15.

**“surcharge liability notice”** means a notice given to a person by the commissioner of taxation, under the *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997* (Cwlth), section 15.

**2A Length of service**

For the purposes of this Act, in determining the length of service as a judge, service as an acting Supreme Court judge or acting District Court judge is to be counted as service as a judge.

**2B Salary of judges who died or retired before 1984 Amendment Act**

(1) This section applies in relation to a judge (a **“pre-1984 judge”**) who died or retired before the commencement of the *Judges’ Pensions Act Amendment Act 1984*.

(2) For the purposes of this Act, the salary of a pre-1984 judge is the annual rate of salary that would be payable to the judge if the judge had not died or retired and the judge’s annual rate of salary were—

- (a) before 1 July 1992—the judge’s 1991 notional salary amount; and
- (b) on and after 1 July 1992— the product of—
  - (i) the judge’s 1991 notional salary amount; and

(ii) the judge's notional salary increase factor.

(3) The judge's notional salary increase factor is the number worked out, to 2 decimal places, using the following formula—

$$\frac{\text{latest notional salary package amount}}{\text{1992 notional salary package amount.}}$$

(4) In this section—

**“1991 notional salary amount”**, for a judge, means the annual rate of salary that would have been necessary to be payable to the judge (if the judge had not died or retired) to entitle the judge or the judge's widow to continue to receive, or receive, pension at the same annual rate after the commencement of this section, and up to 30 June 1992, as would have been payable if the *Supreme Court of Queensland Act 1991* had not been enacted and amended this Act.

**“1992 notional salary package amount”**, for a judge, means the judge's notional salary package amount that applied immediately before 1 July 1992.

**“applicable determination”**, for a judge, means a determination made by the Tribunal, other than a determination disallowed by the Legislative Assembly.

**“determination”** means a determination made under the *Judges (Salaries and Allowances) Act 1967*.

**“latest notional salary package amount”**, for a judge, means the judge's notional salary package amount under the latest applicable determination.

**“notional salary package amount”**, for a judge, means the total of the annual rate of salary and allowances, including any general allowance and jurisprudential allowance, that would be payable to the judge or to which the judge could have become entitled, if the judge had not died or retired.

**“Tribunal”** means the Salaries and Allowances Tribunal.

## 2C Minimum benefit payable

(1) Despite any other provision of this Act, a judge who ceases to hold office is entitled to the minimum benefit (if any) decided by an actuary approved by the Minister.

(2) The minimum benefit must be paid to a superannuation or approved deposit fund nominated by the judge.

(3) To remove doubt, it is declared that this section does not apply to an acting Supreme Court judge or an acting District Court judge.

(4) In this section—

“**minimum benefit**” means the amount of payment, pension or preserved benefit entitlement that is determined to avoid payment of the superannuation guarantee charge.

“**superannuation guarantee charge**” means the charge imposed by the *Superannuation Guarantee Charge Act 1992* (Cwlth).

### **3 Pension of judge retiring at 70**

(1) If a judge retires on reaching 70 after serving as a judge for not less than 5 years, the judge is, subject to subsection (2), entitled to a pension at a rate equal to 6% of the judge’s salary for each completed year of service as a judge.

(2) The maximum pension to which the judge is entitled is the following percentage of the judge’s salary—

- (a) if the judge retired before the enactment of the *Judges’ Pensions Act Amendment Act 1984*—50%;
- (b) in any other case—60%.

### **4 Pension of judge retiring voluntarily at or after age 60**

Where a judge who has attained 60 years of age, but has not attained 70 years of age, retires from office (otherwise than because of permanent disability or infirmity as specified in section 5) after serving as a judge for not less than 10 years, the judge shall, on retiring, be entitled to an annual pension at the rate of 60% of the judge’s salary or, in the case of a judge who has retired before the passing of the *Judges’ Pensions Act Amendment Act 1984*, 50% of the judge’s salary.

### **5 Pension of judge retiring on account of ill health**

Where a judge retires or is retired from office and a prescribed medical practitioner certifies to the Minister that the judge’s retirement is because



*Judges (Pensions and Long Leave) Act 1957*

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of permanent disability or infirmity, the judge shall, on retirement, be entitled to an annual pension at a rate consisting of—

- (a) 75% of the maximum pension entitlement that the judge might have had under this Act if the judge had not retired or been retired because of permanent disability or infirmity; and
- (b) where the judge has served as a judge for a period in excess of 5 years—an additional 5% of the maximum pension entitlement referred to in paragraph (a) for each year of the judge's service as a judge in excess of 5 years;

but so that the rate of the judge's pension shall not exceed 60% of the judge's salary.

## **7 Pension of spouse on death of judge**

(1) Where a judge dies before retirement, the judge's spouse is entitled during the spouse's lifetime—

- (a) in the case of a judge whose death occurred before the passing of the *Judges' Pensions Act Amendment Act 1984*—to an annual pension at a rate consisting of 7% of his or her salary and an additional rate of 2% of his or her salary for each complete year of service as a judge in excess of 1 year but so that the rate of annual pension shall not exceed 25% of his or her salary; or
- (b) in the case of any other judge—to an annual pension at a rate that is 50% of the rate of annual pension that would have been payable under section 5 to the judge if the judge had retired on the date of his or her death because of his or her permanent disability or infirmity.

(2) However—

- (a) if the spouse is a de facto partner, the spouse is entitled to a pension under subsection (1) only if the judge and the spouse had lived together as a couple—
  - (i) for a continuous period of at least 2 years ending on the death; or
  - (ii) for a shorter period ending on the death, if the circumstances of the de facto relationship of the judge and the spouse evidenced a clear intention that the relationship be a long term, committed relationship; and

- (b) if the judge died leaving more than 1 spouse—
  - (i) the pensions of all the spouses are limited to the pension (the **“total pension”**) that would have been payable had the judge died leaving only 1 spouse; and
  - (ii) the total pension must be apportioned between the spouses in the way the Minister considers appropriate.

(3) Subsection (2)(a) applies despite the *Acts Interpretation Act 1954*, section 32DA(6).<sup>2</sup>

## 8 Pension of spouse on death of retired judge

(1) If a retired judge dies leaving a spouse, the spouse is entitled to a pension at a rate equal to 50% of the judge’s notional pension.

(2) However—

- (a) if the spouse is a husband or wife, the spouse is entitled to a pension under subsection (1) only if his or her marriage to the retired judge happened before the judge’s retirement; and
- (b) if the spouse is a de facto partner, the spouse is entitled to a pension under subsection (1) only if—
  - (i) the spouse was a spouse of the retired judge both when the judge retired and when the judge died; and
  - (ii) the retired judge and the spouse had lived together as a couple—
    - (A) for a continuous period of at least 2 years ending on the death; or
    - (B) for a shorter period ending on the death, if the circumstances of the de facto relationship of the judge and the spouse evidenced a clear intention that the relationship be a long term, committed relationship; and
- (c) if the retired judge died leaving more than 1 spouse—
  - (i) the pensions of all the spouses are limited to the pension (the **“total pension”**) that would have been payable had the judge died leaving only 1 spouse; and

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2 *Acts Interpretation Act 1954*, section 32DA (Meaning of “defacto partner”)

- (ii) the total pension must be apportioned between the spouses in the way the Minister considers appropriate.

(3) Subsection (2)(b) applies despite the *Acts Interpretation Act 1954*, section 32DA(6).

## **8A Pension for children of deceased judge**

(1) In this section—

“**child**” includes adopted child.

“**eligible child**”, of a judge, means—

- (a) if the judge died before retirement—a person who is under 16 years or, if the person is receiving full-time education at a school, college or university, is under 25 years and who—
  - (i) is a child of the judge; or
  - (ii) when the judge died, was a child of a person who, on the death of the judge, became a person entitled to receive a pension under section 7; or
- (b) if the judge died after retirement—a person who is under 16 years or, if the person is receiving full-time education at a school, college or university, is under 25 years and who—
  - (i) is a child of the judge; or
  - (ii) when the judge retired, was a child of a person who, on the death of the judge, became a person entitled to receive a pension under section 8.

(2) If—

- (a) a judge dies before retirement; or
- (b) a retired judge who is entitled to receive a pension under this Act dies;

pension is payable for each eligible child of the judge for use towards the child’s support and education.

(3) The rate of pension payable for an eligible child is the following percentage of the judge’s notional pension—

- (a) if a spouse of the judge is entitled to a pension under this Act and—

- (i) there are less than 5 eligible children—12.5%; or
  - (ii) there are 5 or more eligible children—50% divided by the number of eligible children;
- (b) in any other case—
- (i) if there is 1 eligible child—45%; or
  - (ii) if there are 2 eligible children—40%; or
  - (iii) if there are 3 eligible children—30%; or
  - (iv) if there are 4 or more eligible children—100% divided by the number of eligible children.
- (4) Pension payable under this section for an eligible child is payable to—
- (a) if the child is a minor—
    - (i) the parent or guardian of the child; or
    - (ii) such other person as the Minister directs; or
  - (b) in any other case—the child.

### **8B Election to take part of pension as a lump sum to meet surcharge liability**

- (1) This section applies to the following persons—
- (a) a judge to whom a pension is payable under sections 3 to 5;
  - (b) a judge's spouse to whom a pension is payable under section 7;
  - (c) an eligible child of a judge to whom a pension is payable under section 8A, if the rate of pension is decided under section 8A(3)(b).
- (2) The person may elect to be paid a lump sum instead of a part of the pension.
- (3) The maximum amount that may be paid as a lump sum under the election is the amount of the judge's surcharge liability.
- (4) The election must be—
- (a) made in writing to the Minister; and
  - (b) accompanied by a copy of the surcharge liability notice stating the amount of the judge's surcharge liability.

(5) The Minister must act on the election by reducing the pension by the amount of the lump sum.

(6) The reduction must happen in the way decided by the Minister on the advice of an actuary.

## **15 Leave of absence of judges**

(1) A judge who has served as a judge for not less than 7 years is entitled to the following additional leave of absence on full pay—

- (a) for the first 7 years service as a judge—6 months;
- (b) for each subsequent completed year of service— $\frac{6}{7}$  of a month.

(2) The Governor in Council must grant leave of absence to a judge who applies for and is entitled to leave of absence under subsection (1).

(3) A judge must, within 3 years after completing any 7 years of service as a judge, take the leave of absence to which the judge is entitled in relation to the period of 7 years unless the Governor in Council otherwise approves.

(4) If the judge does not take the leave within that period of 3 years or within any further period allowed by the Governor in Council, the judge forfeits all rights in relation to the leave of absence.

(5) A judge who is entitled to additional leave of absence under subsection (1) may, with the Governor in Council's approval, and subject to the administrative requirements of the court, take the additional leave in periods of less than 6 months.

(6) If a judge is unable, or circumstances render it inconvenient for a judge, to take leave of absence to which the judge is entitled, the judge is entitled to receive, either during service as a judge or on retirement, an amount equal to the judge's salary for the period of the leave.

(7) If a judge dies before taking a period of leave of absence to which the judge is entitled, an amount equal to the judge's salary for the period of the leave is payable to the executor or administrator of the judge's estate.

## **16 What happens if judge removed from office**

(1) If a judge is removed from office under an Act, this Act applies only if the reason for the judge's removal is that the judge is unable to perform the duties of the office because of a permanent disability or infirmity.

(2) However, the Governor in Council may decide that this Act applies to the judge despite subsection (1).

### **17 Payment of pensions etc.**

(1) Pensions under this Act accrue daily and are payable monthly or at such lesser intervals as the Minister directs.

(2) Pensions under this Act, and other amounts payable under this Act, are payable out of the Consolidated Fund, which is appropriated accordingly.

### **18 Retired judge serving in judicial office**

If, after retirement, a judge who is entitled to pension under this Act serves for a period in a judicial office of the Commonwealth or a State or Territory and receives salary for the service, then—

- (a) if the salary is equal to or more than the amount of pension that would, but for this section, be payable for the period—pension is not payable for the period; or
- (b) in any other case—the amount of that pension is reduced by the amount of the salary.

### **18A Minister is manager for Commonwealth Act**

(1) This section applies for the definition “trustee” in section 38 of the Commonwealth Act in relation to the scheme as a constitutionally protected superannuation fund under the Commonwealth Act.

(2) The Minister is taken to manage the scheme.

(3) In this section—

“**Commonwealth Act**” means the *Superannuation Contributions Tax (Members of Constitutionally Protected Superannuation Funds) Assessment and Collection Act 1997* (Cwlth).

“**scheme**” means—

- (a) the scheme established by this Act for providing pensions to judges and to their spouses and children; or
- (b) the scheme established by this Act as it applies for providing pensions to members under the *Industrial Relations Act 1999* and

to their spouses and children because of schedule 2, section 2 of that Act; or

- (c) the scheme established by this Act as it applies for providing pensions to members of the Land Court because of the *Land Court Act 2000*, section 40.

## **19 Act subject to Supreme Court of Queensland Act**

This Act has effect subject to the *Supreme Court of Queensland Act 1991*.

## **20 Regulations**

The Governor in Council may make regulations under this Act.

## **21 Judges' Pensions Act 1957 references**

In an Act or document, a reference to the *Judges' Pensions Act 1957* is a reference to this Act.

## ENDNOTES

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 April 2003. Future amendments of the Judges (Pensions and Long Leave) Act 1957 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered



## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

### TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	to 1992 Act No. 14	13 May 1992	1 December 1992
2	to 1994 Act No. 76	1 December 1994	22 December 1994
2A	to 1995 Act No. 58	28 November 1995	26 June 1996
2B	to 1996 Act No. 79	28 November 1995	20 February 1997
2C	to 1996 Act No. 79	28 February 1997	14 March 1997
3	to 1996 Act No. 79	22 April 1999	4 June 1999
3A	to 1999 Act No. 74	22 April 1999	5 January 2000
3B	to 2000 Act No. 58	17 November 2000	1 December 2000 (Column discontinued) Notes
3C	to 2002 Act No. 57	6 December 2002	
3D	to 2002 Act No. 74	1 April 2003	

## 5 List of legislation

### **Judges (Pensions and Long Leave) Act 1957 6 Eliz 2 No. 38 (prev Judges' Pensions Act 1957)**

date of assent 17 December 1957

commenced on date of assent

amending legislation—

### **Judges' Salaries and Pensions Act 1967 No. 40 pt 4**

date of assent 14 December 1967

commenced on date of assent

### **Judges' Pensions Act Amendment Act 1972 No. 11**

date of assent 15 December 1972

commenced on date of assent

### **Judges' Pensions Act Amendment Act 1974 No. 29**

date of assent 2 May 1974

for commencement of s 2(1)(a) see s 2(2)

s 3 commenced 1 July 1974 (see s 3(2))

remaining provisions commenced on date of assent

### **Judges' Salaries and Pensions Act and Another Act Amendment Act 1980 No. 16 pt 3**

date of assent 12 May 1980

commenced on date of assent

**Judges' Pensions Act Amendment Act 1984 No. 10**

date of assent 6 February 1984  
commenced on date of assent

**Judges' Pensions Act Amendment Act 1984 (No. 2) No. 98**

date of assent 6 December 1984  
commenced on date of assent

**Supreme Court of Queensland Act 1991 No. 68 ss 1–2, 111 sch 2**

date of assent 24 October 1991  
ss 1–2 commenced on date of assent  
remaining provisions commenced 14 December 1991 (see s 2(1) and 1991 SL No. 173)

**Judges (Pensions and Long Leave) Amendment Act 1992 No. 14**

date of assent 13 May 1992  
commenced on date of assent

**Judicial Legislation Amendment Act 1994 No. 76 pts 1, 3**

date of assent 1 December 1994  
ss 6–7 commenced 14 December 1991 (see s 2)  
remaining provisions commenced on date of assent

**Justice and Attorney-General (Miscellaneous Provisions) Act 1995 No. 24 pts 1, 5**

date of assent 11 April 1995  
commenced on date of assent

**Superannuation Legislation Amendment Act 1995 No. 27 pts 1, 3**

date of assent 14 June 1995  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 July 1992 (see s 2(3))

**Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 2**

date of assent 28 November 1995  
commenced on date of assent

**Justice Legislation (Miscellaneous Provisions) Act 1996 No. 79 pts 1, 16**

date of assent 12 December 1996  
ss 1–2 commenced on date of assent  
remaining provisions commenced 28 February 1997 (1997 SL No. 35)

**Justice Legislation (Miscellaneous Provisions) Act 1999 No. 16 s 1 pt 5**

date of assent 22 April 1999  
commenced on date of assent

**Superannuation Legislation Amendment Act 1999 No. 74 pts 1, 3**

date of assent 14 December 1999  
ss 1–2 commenced on date of assent  
remaining provisions commenced 6 December 2002 (2002 SL No. 318)  
Note—AIA s 15DA does not apply to pt 3 (see s 2(2))

**Justice and Other Legislation (Miscellaneous Provisions) Act 2000 No. 58 ss 1–2 sch**

date of assent 17 November 2000  
commenced on date of assent

**Superannuation Legislation Amendment Act 2002 No. 57 pts 1, 3**

date of assent 1 November 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 6 December 2002 (2002 SL No. 319)

**Discrimination Law Amendment Act 2002 No. 74 pts 1, 6**

date of assent 13 December 2002

ss 1–2 commenced on date of assent

remaining provisions commenced 1 April 2003 (2003 SL No. 51)

**6 List of annotations****Title** sub 1992 No. 14 s 2 sch**Short title****s 1** sub 1991 No. 68 s 111 sch 2**Definitions**

**s 2** amd 1967 No. 40 s 9  
sub 1991 No. 68 s 111 sch 2  
def “**eligible child**” ins 1999 No. 74 s 8  
def “**judge**” sub 1991 No. 68 s 111 sch 2  
def “**live together as a couple**” ins 2002 No. 74 s 47  
def “**notional pension**” ins 1992 No. 14 s 3  
def “**salary**” amd 1984 No. 10 s 2  
sub 1991 No. 68 s 111 sch 2; 1994 No. 76 s 6  
def “**surcharge liability**” ins 1999 No. 74 s 8  
def “**surcharge liability notice**” ins 1999 No. 74 s 8

**Length of service****s 2A** ins 1991 No. 68 s 111 sch 2**Salary of judges who died or retired before 1984 Amendment Act****s 2B** ins 1994 No. 76 s 7**Minimum benefit payable**

**s 2C** ins 1995 No. 27 s 8  
amd 1999 No. 16 s 14

**Pension of judge retiring at 70**

**s 3** sub 1967 No. 40 s 10  
amd 1984 No. 10 s 3  
sub 1984 No. 98 s 2  
amd 1991 No. 68 s 111 sch 2  
sub 1992 No. 14 s 2 sch

**Pension of judge retiring voluntarily at or after age 60**

**s 4** sub 1967 No. 40 s 11  
amd 1984 No. 10 s 4; 1991 No. 68 s 111 sch 2; 1992 No. 14 s 2 sch

**Pension of judge retiring on account of ill health**

**s 5** sub 1967 No. 40 s 12; 1984 No. 10 s 5  
amd 1992 No. 14 s 2 sch

**Pension of judge retiring on account of ill-health after less than 2 years' service**

**s 6** sub 1967 No. 40 s 13  
om 1984 No. 10 s 6

**Pension of spouse on death of judge**

**s 7** sub 1967 No. 40 s 14; 1984 No. 10 s 7  
amd 1992 No. 14 s 2 sch; 2002 No. 57 s 6; 2002 No. 74 s 48

**Pension of spouse on death of retired judge**

**s 8** sub 1984 No. 10 s 8; 1992 No. 14 s 2 sch  
amd 2002 No. 57 s 7; 2002 No. 74 s 49

**Pension for children of deceased judge**

**s 8A** ins 1967 No. 40 s 15  
sub 1984 No. 10 s 9; 1992 No. 14 s 4  
amd 2002 No. 74 s 50

**Election to take part of pension as a lump sum to meet surcharge liability**

**s 8B** prev s 8B ins 1972 No. 11 s 2  
amd 1974 No. 29 s 2(1)  
sub 1984 No. 10 s 10  
om 1992 No. 14 s 2 sch  
pres s 8B ins 1999 No. 74 s 9

**Adjustment of pensions**

**s 8C** ins 1974 No. 29 s 3(1)  
om 1984 No. 10 s 11

**Appropriation**

**s 9** om 1992 No. 14 s 2 sch

**Pension etc. not payable where judge removed from office**

**s 10** amd 1967 No. 40 s 16  
om 1992 No. 14 s 2 sch

**Repeal of s 4 of 12 Geo. V. No. 14**

**s 11** om 1991 No. 68 s 111 sch 2

**Repeal of s 5 of 38 Vic. No. 3**

**s 12** om 1991 No. 68 s 111 sch 2

**Amendment of s 6 of 38 Vic. No. 3**

**s 13** om 1991 No. 68 s 111 sch 2

**Operation of s 3 of "The Supreme Court Acts Amendment Act of 1944."**

**s 14** om 1991 No. 68 s 111 sch 2

**Leave of absence of judges**

**s 15** sub 1967 No. 40 s 17  
amd 1980 No. 16 s 10; 1991 No. 68 s 111 sch 2; 1992 No. 14 s 2 sch; 1995  
No. 24 s 15; 1996 No. 79 s 50; 2000 No. 58 s 2 sch

**What happens if judge removed from office**

**s 16** ins 1992 No. 14 s 2 sch  
sub 1994 No. 76 s 8

**Payment of pensions etc.**

**s 17** sub 1992 No. 14 s 2 sch

**Retired judge serving in judicial office**

**s 18** ins 1992 No. 14 s 2 sch

**Minister is manager for Commonwealth Act**

**s 18A** ins 2002 No. 57 s 8

**Act subject to Supreme Court of Queensland Act**

**s 19** (prev s 16) sub 1991 No. 68 s 111 sch 2  
renum 1992 No. 14 s 2 sch

**Regulations**

**s 20** ins 1992 No. 14 s 2 sch  
amd 1995 No. 58 s 4 sch 2

**Judges' Pensions Act 1957 references**

**s 21** ins 1995 No. 58 s 4 sch 2