



SUPREME COURT

---

No. 88 of 1975

---

ANALYSIS

1. Short title and citation.
2. Additional puisne judges.  
Acting judges.



AN ACT to amend the Supreme Court Act 1887.

[11 December 1975]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Supreme Court Act 1975*. Short title and citation.

(2) The *Supreme Court Act 1887*, as subsequently amended, is in this Act referred to as the Principal Act.

**2** Section 2 of the Principal Act is repealed and the following sections are substituted therefor:—

Additional  
puisne judges.

“ 2 In addition to the Chief Justice and the puisne judge of the Supreme Court required to be appointed under the Charter of Justice, the Governor may appoint barristers of the Court, duly qualified in that behalf, to be additional puisne judges of the Supreme Court, so long as at any one time there are not more than four such additional puisne judges.

Acting judges.

“ 3—(1) Where the Governor is of opinion that a situation of a temporary nature has arisen, or is likely to arise, in which it is necessary or desirable, in the public interest, that the powers of this section should be exercised, he may appoint a person eligible for office of judge of the Supreme Court as an acting judge of the Court to act as puisne judge thereof until the happening of such event, or for such period, as the Governor may specify in his instrument of appointment.

“(2) Subject to this section, an acting judge holding office under this section has the same powers and jurisdiction as a puisne judge of the Supreme Court, and while he so holds office shall be deemed to be a puisne judge of the Court.

“(3) An acting judge is entitled to be paid out of the Consolidated Revenue (which, to the necessary extent, is appropriated accordingly) a salary at the same rate as that payable to a puisne judge.

“(4) The *Judges' Pensions Act* 1951 and the *Judges' Contributory Pensions Act* 1968 do not apply to a person by reason of his holding office as an acting judge and service as an acting judge shall not be treated as service as a judge for the purposes of either of those Acts.

“(5) Section 5 does not apply to the appointment of an acting judge, and section 6A does not apply to the office of acting judge.”.