

## CLAUSE NOTES

### *Supreme Court Amendment (Judges) Bill 2016*

#### **Part 1 – Preliminary**

- Clause 1:** Provides for the short title of the Bill.
- Clause 2:** Provides that the Act commences on Royal Assent.
- Clause 3:** Repeals the Act one year from the date on which it commences.

#### **Part 2 – *Supreme Court Act 1887* amended**

- Clause 4:** Provides that the Principal Act for Part 2 is the *Supreme Court Act 1887*.
- Clause 5:** Amends the *Supreme Court Act 1887* by omitting the definition of barrister and the definition of solicitor from section 1.
- Clause 6:** Amends section 2 of the *Supreme Court Act 1887* by omitting reference to qualified barristers.
- Clause 7:** Amends section 3 of the *Supreme Court Act 1887* by using gender neutral language as well as providing for the appointment of both full-time and part-time acting judges, allowing for acting judges to complete matters before them at the end of their term of appointment, and providing for how the remuneration of a part-time acting judge is calculated.
- Clause 8:** Repeals section 4 of the *Supreme Court Act 1887* and inserts a new section 4 that provides for the qualifications required for appointment as a judge of the Supreme Court, as well as validating all past appointment of judges to the Supreme Court.

#### **Part 3 – *Supreme Court Act 1959* amended**

- Clause 9:** Provides that the Principal Act for Part 3 is the *Supreme Court Act 1959*.
- Clause 10:** Amends section 4 of the *Supreme Court Act 1959* by omitting subsection 2 and substituting a new subsection 2 that provides for the qualifications required for appointment as the Associate Judge, as well as validating all past appointments of Associate Judges to the Supreme Court.
- Clause 11:** Amends section 4A of the *Supreme Court Act 1959* so that the qualifications required for appointment as an Acting Associate Judge are consistent with the qualifications required for appointment as the Associate Judge.