

1972 Bill 12

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First Session, 17th Legislature, 21 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 12**

**The Judicature Amendment Act, 1972**

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THE ATTORNEY GENERAL

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First Reading .....

Second Reading .....

Third Reading .....

# BILL 12

1972

## THE JUDICATURE AMENDMENT ACT, 1972

(Assented to \_\_\_\_\_, 1972)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Judicature Act is hereby amended.*
2. *Section 2, clause (f) is amended by inserting after the words "means a judge" the words "or supernumerary judge".*
3. *The following section is added after section 7:*

**7.1** For each office of judge established under sections 6 and 7 there is an additional office of supernumerary judge which any judge of the Court may elect to hold upon compliance with, and upon meeting the qualifications under, the Judges Act (Canada).
4. *This Act comes into force on the day upon which it is assented to.*

## Explanatory Notes

**1.** This Bill amends chapter 193 of the Revised Statutes of Alberta 1970 to establish the offices of supernumerary judges to complement federal amendments to the Judges Act.

**2.** Supernumerary judges included in the definition of judge.

**3.** Supernumerary judgeships established in correlation with the the new section 20A of the Judges Act (Canada) which reads in part:

20A. (1) Where

(a) the legislature of a province has enacted legislation establishing for each office of judge of the superior court or courts of the province the additional office of supernumerary judge of the court or courts, and

(b) a judge of a superior court of a province described in paragraph (a) has notified the Minister of Justice of Canada and the Attorney General of that province of his election to give up his regular judicial duties and hold office only as a supernumerary judge,

that judge shall thereupon hold only the office of supernumerary judge of that court and there shall be paid to him the salary annexed to that office until he reaches the age of seventy-five years, resigns, or is removed from or otherwise ceases to hold office.

(2) No judge of a superior court for which the office of supernumerary judge has been established may elect to hold office as a supernumerary judge of that court unless he has attained the age of seventy years and continued in judicial office for at least ten years.

(3) A judge who has elected to hold the office of supernumerary judge shall hold himself available to perform such special judicial duties as may be assigned to him from time to time by the chief justice or associate chief justice of the court of which he is a member.