1972

c 159 The Judicature Amendment Act, 1972 (No. 2)

Ontario
An Act to amend The Judicature Act

Assented to December 15th, 1972
Session Prorogued December 15th, 1972

HER MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. Clause \( k \) of section 1 of The Judicature Act, being s.1(ch),
chapter 228 of the Revised Statutes of Ontario, 1970, is
repealed and the following substituted therefor:

\((k)\) "judge" includes a chief justice, an ex officio judge
and a supernumerary judge.

2. The said Act is amended by adding thereto the follow-
ing section:

5a. For each office of judge of the Court of Appeal and
Supernumery of the High Court of Justice there shall be the
additional office of supernumerary judge held by a
judge of such court who has elected under the
Judges Act (Canada) to hold office only as a super-
numerary judge of that court.

3.—(1) Subsection 3 of section 8 of the said Act is amended
by inserting at the commencement thereof "Subject to
subsection 4".

(2) The said section 8 is amended by adding thereto the
following subsection:

(4) The supernumerary judges have rank and pre-
cedence after the other judges and among them-
selves according to seniority of appointment as a
judge.

4. Subsection 1 of section 11 of the said Act is repealed
and the following substituted therefor:

(1) Where a judge resigns his office or is appointed to
any other court or elects to hold office only as a
supernumerary judge or ceases to hold office by reason of his having reached the age of retirement, he may at any time within eight weeks after such event, give judgment in any cause, action or matter previously tried or heard before him, as if he had not so resigned, been appointed, elected or ceased to hold office.

5. Section 15 of the said Act is amended by striking out "or any retired judge of that court" in the fourth line and by striking out "or retired judge" in the tenth line.

6. This Act comes into force on the day it receives Royal Assent.

7. This Act may be cited as *The Judicature Amendment Act, 1972 (No. 2).*