

# ***The British North America Act, 1960***

9 ELIZABETH II, CHAPTER 2

[20th December, 1960]

WHEREAS the Senate and House of Commons of Canada in Parliament assembled have submitted addresses to Her Majesty praying that Her Majesty may graciously be pleased to cause a measure to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

## **Amendment as to tenure of office of judges, 30 & 31 Vict., c.3**

**1** Section ninety-nine of *The British North America Act, 1867*, is hereby repealed and the following substituted therefore:

### **“Tenure of office of judges**

**99(1)** Subject to subsection (2) of this section, the judges of the superior courts shall hold office during good behaviour, but shall be removable by the Governor General on address of the Senate and House of Commons.

(2) A judge of a superior court, whether appointed before or after the coming into force of this section, shall cease to hold office upon attaining the age of seventy-five years, or upon the coming into force of this section if at that time he has already attained that age”.

B.N.A. 1960, 9 Elizabeth II, c.2, s.1.

### **Short title and citation**

**2** This Act may be cited as *The British North America Act, 1960*; and *The British North America Acts, 1867 to 1952*, and this Act may be cited together as *The British North America Acts, 1867 to 1960*.

B.N.A. 1960, 9 Elizabeth II, c.2, s.2.

### **Commencement**

**3** This Act shall come into force on the first day of March, nineteen hundred and sixty-one.