

THE COURTS (AMENDMENT) BILL
(No. XXIII of 2008)

Explanatory Memorandum

The object of this Bill is to amend the Courts Act to provide that the retiring age of a Judge of the Supreme Court shall be 67 years unless a person holding office as a Judge elects that the amendment shall not apply to him.

04 July 2008

J. VALAYDEN
*Attorney-General and
Minister of Justice and Human Rights*

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Interpretation
3. Section 3 of principal Act amended

A BILL

**To amend the Courts Act to provide for the retiring age of a Judge
of the Supreme Court**

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Courts (Amendment) Act 2008.

2. Interpretation

In this Act –

“principal Act” means the Courts Act.

3. Section 3 of principal Act amended

Section 3 of the principal Act is amended –

(a) by numbering the existing provision as subsection (1); and

(b) by adding the following new subsection –

(2) (a) Subject to paragraph (b), the retiring age of a Judge of the Supreme Court shall, for the purposes of section 78(7) of the Constitution, be the age of 67 years.

(b) Any person holding office as a Judge at the commencement of this Act may elect to retire at the age of 62 years.
