

Every judge who is in receipt of a salary under the Judges Act is paid an additional salary of \$3,000 per annum as compensation for any extra-judicial services that he may be called upon to perform by the Government of Canada or the government of a province, and for the incidental expenditures that the fit and proper execution of his office as judge may require. In the case of each judge of the Federal Court of Canada and of the territorial courts of the Yukon Territory and the Northwest Territories an additional allowance of \$2,000 per annum is paid as compensation for special incidental expenditures inherent in the exercise of his office as judge.

The Judges Act provides that a judge of a superior or county court who, for the purpose of performing any function or duty as such judge, attends at any place other than that at which or in the immediate vicinity of which he is by law obliged to reside, is entitled to be paid, as a travelling allowance, his moving or transportation expenses and reasonable travelling and other expenses incurred by him in so attending. If a judge uses his personal automobile because of the lack of good public transportation facilities, he is paid a mileage allowance.

Judges' annuities are non-contributory and the statutory retirement age is 75 years except for judges of the Federal Court of Canada who cease to hold office at the age of 70 and judges of the county courts who are compulsorily retired at 70. Those judges of the county courts who held office at the time the retirement age was reduced to 70 years (1971) are not affected by the earlier retirement age but are allowed to serve as judges until they reach 75 years of age, the retirement age in force previously. The Governor in Council may grant an annuity to: a judge who has continued in judicial office for at least 15 years and has attained the age of 65, if he resigns his office; a judge who has continued in judicial office for at least 15 years, if he resigns his office and in the opinion of the Governor in Council the resignation is conducive to the better administration of justice or is in the national interest; a judge who has become afflicted with some permanent infirmity disabling him from the due execution of his office, if he resigns his office or if, by reason of such infirmity, he is removed from office; or a judge who ceases to hold office because he has attained the age of retirement, if he has held judicial office for at least 10 years. The amount of the annuity may not exceed two thirds of the salary annexed to the office held at the time of resignation, removal or ceasing to hold office, as the case may be. An annuity granted to a judge commences on the day of his resignation, removal or ceasing to hold office and continues during his natural life.

The Governor in Council may grant to the widow of a judge who dies while in office an annuity not exceeding two ninths of the salary of the judge at the date of his death, to commence immediately after the death of the judge and to continue thenceforth during her natural life. The Governor in Council may also grant to each of a maximum of four dependent children of a judge who dies while holding office or of a judge who is in receipt of an annuity under the Judges Act, an annuity equal to one fifth of the annuity payable to his widow, or if the judge dies without leaving a widow or such widow is dead, two fifths of the annuity that would have been payable to the judge's widow. When a judge who was granted an annuity upon his retirement dies, the Governor in Council may grant to the widow an annuity not exceeding one third of the annuity that was granted to him. Two ninths of salary and one third of annuity are the same amount in dollars. An annuity granted to the widow of a judge ceases upon her remarriage. No annuity may be granted if the widow married the judge after he ceased to hold office.

2.5 Legal services

2.5.1 The legal profession

The adjective "fused" is sometimes used to describe the legal profession in common law Canada since practising lawyers are both called as barristers and admitted as solicitors. Admission to practise is a provincial matter. Statutes setting out the powers and responsibilities of the provincial organizations are: (Alberta) The Legal Profession Act RSA 1970, c.203 as am.; (British Columbia) The Legal Professions Act RSBC 1960, c.214 as am.; (Manitoba) The Law Society Act RSM 1970, c.L-100; (New Brunswick) The Barristers' Society Act, 1973, SNB 1973, c.80; (Newfoundland) The Law Society Act RSN 1970, c.201 as am.; (Nova Scotia) Barristers and Solicitors Act RSNS 1967, c.18 as am.; (Ontario) The Law Society Act RSO 1970, c.238; (Prince Edward Island) The Legal Profession Act RSPEI 1951, c.84 as am.; (Saskatchewan) The Legal Profession Act RSS 1965, c.301 as am.; (Northwest Territories)