Courts-Martial (Appeals) Act 1951

1951 CHAPTER 46

PART I

APPEALS FROM COURTS-MARTIAL

The Courts-Martial Appeal Court

1 Constitution of Courts-Martial Appeal Court

(1) There shall be a Courts-Martial Appeal Court (in this Part of this Act referred to as " the Court") whereof the judges shall be—

(a) the Lord Chief Justice and the puisne judges of the High Court;

(b) such of the Lords Commissioners of Justiciary as the Lord Justice General may from time to time nominate for the purpose;

(c) such of the judges of His Majesty's High Court of Justice in Northern Ireland as the Lord Chief Justice of Northern Ireland may from time to time nominate for the purpose; and

(d) such other persons, being persons of legal experience, as the Lord Chancellor may appoint:

(2) The appointment of a person under paragraph (d) of the foregoing subsection to be a judge of the Court shall be for such term as may be determined by the Lord Chancellor, with the approval of the Treasury, before his appointment, and shall be subject to such conditions as may be so determined; and a person appointed as aforesaid to be a judge of the Court who ceases to hold office as such a judge shall be eligible for re-appointment.

(3) There may be paid to the persons appointed under paragraph (d) of subsection (1) of this section to be judges of the Court such remuneration, and to all the judges of the Court such travelling and subsistence allowances, as the Lord Chancellor may, with the approval of the Treasury, determine.

(4) There shall be a registrar of the Court (in this Part of this Act referred to as " the registrar ") to be appointed by the Lord Chancellor, and the Lord Chancellor may

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appoint such other officers and servants of the Court as he may, with the approval of the Treasury as to numbers, determine.

(5) The remuneration of the officers and servants of the Court shall be such as the Lord Chancellor may, with the approval of the Treasury, determine, and the Superannuation Acts, 1834 to 1950, shall have effect as if service as an officer or servant of the Court were service in an established capacity in the permanent civil service of the State in an appointment held directly from the Crown.

(6) There shall be defrayed out of moneys provided by Parliament—

(a) the remuneration of persons appointed under paragraph (d) of subsection (1) of this section to be judges of the Court;

(b) the travelling and subsistence allowances of the judges of the Court;

(c) the remuneration of the officers and servants of the Court and such other expenses of the Court as the Treasury may sanction ; and

(d) any increase attributable to the last foregoing subsection in the sums which, under the Superannuation Acts, 1834 to 1950, are payable out of moneys so provided.