

*These notes refer to the Access to Justice Act 1999  
(c.22) which received Royal Assent on 27th July 1999*

## ACCESS TO JUSTICE ACT 1999

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### EXPLANATORY NOTES

C.

#### APPEALS, COURTS, ETC. (PART IV - SECTIONS 54-73)

##### *Commentary*

##### *Judges etc.*

233. **Section 68: Judges holding office in European or international courts.** This section makes it possible to appoint British judges to international courts, without those judges having to resign judicial office in the United Kingdom. This will guarantee that seconded judges can resume office in the UK when their secondment ends, making such appointments more attractive and so ensuring that this country can play its full part in these courts.
234. **Section 68** applies to any court of the European Union and any other international court (e.g. the International Court of Justice in the Hague) designated by the Lord Chancellor or the Secretary of State for Scotland. (The European Court of Human Rights is excluded by the second paragraph (b) in subsection (2) because similar provisions for that court already exist in the Human Rights Act 1998.)
235. Subsection (3)(a) & (b) ensures that seconded judges will not be paid their UK salaries, or receive pension benefits under a UK judicial pensions scheme, while working for an international court. Subsection (3)(c) provides that a seconded judge should not count towards any statutory maximum complement of a UK court while working abroad; and subsection (5) allows the relevant minister to deal with any problems (including the temporary breach of a maximum complement) that may arise when a judge returns to office here.
236. **Section 69: Vice-president of the Queen's Bench Division.** This section puts on a statutory footing the existing practice of the Lord Chancellor appointing, at the request of the Lord Chief Justice, a senior member of the Court of Appeal to assist the Lord Chief Justice in his administrative duties as president of the Queen's Bench Division of the High Court.
237. **Section 70: Registrar of civil appeals.** This section abolishes the post of registrar of civil appeals. The registrar of civil appeals is a judicial officer provided for by Schedule 2 to the Supreme Court Act 1981. The post has both judicial and administrative functions. The administrative functions have now been taken over by a civil servant appointed to manage the Civil Appeals Office.