

TRIBUNALS, COURTS AND ENFORCEMENT ACT 2007

EXPLANATORY NOTES

PART 2: JUDICIAL APPOINTMENTS

Commentary on Sections: Part 2

Section 54: Continuation of judicial office after normal retirement date

298. [Section 54](#) amends section 26 of the Judicial Pensions and Retirement Act 1993 to rectify a lacuna resulting from its modification by the Constitutional Reform Act 2005. Section 26 makes provision for the extension of service of judicial office holders beyond the retirement age otherwise prescribed by that Act. The modification made by the 2005 Act catered for the extension of service of judicial office holders exercising jurisdiction exclusively in one of the three legal jurisdictions of the United Kingdom but inadvertently omitted to cater for those exercising jurisdiction in two or all three of those legal jurisdictions. The new sub-sections of section 26 of the 1993 Act added by this section rectify the problem by conferring the power to extend service in such circumstances on the Senior President of Tribunals in respect of Tribunal offices listed in the new section 26 (12A) of the 1993 Act or otherwise by the Lord Chief Justice, in both cases subject to the concurrence of the Lord Chancellor.