***Changes to legislation:** There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 37. (See end of Document for details)*

SCHEDULES

SCHEDULE 13

JUDICIAL APPOINTMENTS

PART 4

JUDICIAL APPOINTMENTS: SELECTION, AND TRANSFER OF POWERS OF LORD CHANCELLOR

Deputy district judges to be appointed by Lord Chief Justice

37 (1) Section 8 of the County Courts Act 1984 (deputy district judges for the county court) is amended as follows.

(2) In subsection (1) (Lord Chancellor's power of appointment) for "Lord Chancellor" substitute " Lord Chief Justice ".

(3) In subsection (1ZB) (Lord Chief Justice's concurrence needed in certain cases) for "Lord Chancellor may not appoint a person under subsection (1) without the concurrence of the Lord Chief Justice" substitute " Lord Chief Justice may not appoint a person under subsection (1) without the concurrence of the Lord Chancellor ".

(4) In subsection (1A) (ages beyond which appointments may not extend) in each of paragraphs (a) and (b) after "shall not be such as to" insert " , or be extended under subsection (3B) so as to, ".

(5) After subsection (3) (remuneration) insert—

"(3A) A person appointed under this section may be removed from office as a deputy district judge—

(a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and

(b) only on—

(i) the ground of inability or misbehaviour, or

(ii) a ground specified in the person's terms of appointment.

(3B) Subject to subsections (1A) and (3C), the term of a person's appointment under this section (including a term already extended under this subsection) must be extended by the Lord Chancellor before its expiry.

(3C) Extension under subsection (3B)—

(a) requires the person's agreement,

(b) is to be for such term as the Lord Chancellor thinks fit, and

(c) may be refused on—

(i) the ground of inability or misbehaviour, or

(ii) a ground specified in the person's terms of appointment,

but only with any agreement of the Lord Chief Justice, or a nominee of the Lord Chief Justice, that may be required by those terms.

(3D) Subject to the preceding provisions of this section, a person appointed under this section is to hold and vacate office as a deputy district judge in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine.

(3E) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005) to exercise the Lord Chief Justice's functions under subsection (1) or (3A)(a).”

(6) In subsection (4) (delegation of Lord Chief Justice's functions) omit “(1ZB) or”.

(7) In list A in paragraph 4 of Schedule 7 to the Constitutional Reform Act 2005 (protected functions of Lord Chancellor) in the entries for the County Courts Act 1984 for “Section 8(1) and (3)” substitute “ Section 8 ”.

Commencement Information

I1 Sch. 13 para. 37 in force at 1.10.2013 by S.I. 2013/2200, **art. 3(e)** (with savings in S.I. 2013/2192, regs. 48, 49)

Changes to legislation:
There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 37.