



Administration of Justice Act 1970

1970 CHAPTER 31

PART I

COURTS AND JUDGES

Patents and Registered Designs Appeal Tribunals

10 Temporary additional judges.

[^{F1}(1) This section applies if both of the following conditions are met—

- (a) the Lord Chancellor thinks that it is expedient, having regard to the state of business pending before the Registered Designs Appeal Tribunal and after consulting the Lord Chief Justice, for a person to be appointed to sit and act as an additional judge of the Tribunal (either alone or with a judge of the High Court who is a judge of the Tribunal);
- (b) the Lord Chancellor requests the Lord Chief Justice to make such an appointment.

(1A) The Lord Chief Justice may, after consulting the Lord Chancellor, appoint one of the following persons as mentioned in subsection (1)(a)—

- (a) a judge of the Court of Appeal;
- ^{F2}(b)
- (c) one of Her Majesty's Counsel.

(1B) An appointment under this section is—

- (a) for such period, or
- (b) for the purpose of hearing such appeals,

as the Lord Chief Justice determines, after consulting the Lord Chancellor.]

(2) A person appointed to [^{F3}the] Tribunal under this section shall, while sitting and acting as aforesaid, have all the jurisdiction of, but shall not otherwise be deemed to be, a judge of the Tribunal.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1970, Cross Heading: Patents and Registered Designs Appeal Tribunals. (See end of Document for details)

- (3) The Lord Chancellor may pay to a person appointed to [^{F3}the] Tribunal under this section (other than a judge of the Court of Appeal) such remuneration as he may determine with the approval of the Minister for the Civil Service; and any such remuneration shall be included in the expenses of the Tribunal.
- (4) In this section . . . ^{F4}“the Registered Designs Appeal Tribunal” means the Appeal Tribunal constituted under section 28 of the ^{M1}Registered Designs Act 1949 [^{F5}as amended by section 24 of the ^{M2}Administration of Justice Act 1969].
- [^{F6}(4A) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]
- (5) In subsection (8) of the said section 85 and subsection (8) of the said section 28 (which confer power on the two Tribunals to make rules about procedure etc.), there shall in each case be inserted at the end of the subsection the words “including right of audience”.

Textual Amendments

- F1** S. 10(1)-(1B) substituted for s. 10(1) (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 66(2)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(e)
- F2** S. 10(1A)(b) omitted (10.3.2022 for specified purposes, 1.10.2022 in so far as not already in force) by virtue of Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(c), **Sch. 4 para. 2(1)** (with Sch. 4 para. 2(2)); S.I. 2022/1014, reg. 2(d) (with reg. 3)
- F3** Word substituted by Patents Act 1977 (c. 37), **Sch. 5 para. 5(1)**
- F4** Words repealed by Patents Act 1977 (c. 37), **Sch. 6**
- F5** Words substituted by Patents Act 1977 (c. 37), **Sch. 5 para. 5(2)**
- F6** S. 10(4A) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 66(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(e)

Modifications etc. (not altering text)

- C1** The text of ss. 10(5), 41(7), 48, 51(2), 54(3) are in the form in which they were originally enacted: they were not reproduced in Statutes in Force and do not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1949 c. 88.
M2 1969 c. 58.

Changes to legislation:

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