



# Courts Act 1971

## 1971 CHAPTER 23

### PART IV

#### OFFICERS AND ACCOMMODATION

##### **Modifications etc. (not altering text)**

- C1** Pt. 4 functions transferred (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887, arts. 1(2), 4, Sch. 1

#### **[<sup>F1</sup>26 Masters and registrars to be appointed by Lord Chancellor.**

- (1) On and after the appointed day the following officers shall be appointed by the Lord Chancellor, with the concurrence of the Minister for the Civil Service as to numbers and salaries,—
  - (a) the masters, assistant masters and registrars specified in Part I of Schedule 3 to the <sup>M1</sup>Judicature Act 1925, other than the Master of the Court of Protection (for whose appointment by the Lord Chancellor provision is made by section 100 of the <sup>M2</sup>Mental Health Act 1959);
  - (b) the Queen's coroner and attorney and master of the Crown Office;
  - (c) the registrar, assistant registrars and deputy assistant registrars of criminal appeals;
  - (d) the admiralty registrar;
  - (e) chancery registrars and assistant chancery registrars; and
  - (f) district probate registrars.
- (2) The person appointed to the office of Queen's coroner and attorney and master of the Crown Office shall, by virtue of his appointment, be a master of the Supreme Court (Queen's Bench Division).
- (3) In section 122 of the Judicature Act 1925 (which relates to certain additional duties of the senior master of the Queen's Bench Division) for the words "The senior master" there shall be substituted the words "The Lord Chancellor shall appoint one of the

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, Part IV. (See end of Document for details)*

masters” and after the word “Division)” there shall be inserted the words “to be the senior master and the person so appointed”.

- (4) In section 128A of the Judicature Act 1925 (which relates to the office of district probate registrar) for any reference in subsection (2) or subsection (3) to the President of the family division there shall be substituted a reference to the Lord Chancellor.]

#### Textual Amendments

**F1** Ss. 25, 26 repealed (E.W.) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 152(4), [Sch. 7](#)

#### Modifications etc. (not altering text)

**C2** The text of ss. 26(3)(4), 51(2), 53(5) and 56(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M1** 1925 c. 49.

**M2** 1959 c. 72.

## 27 Administrative and other court staff.

The Lord Chancellor may, with the concurrence of the Minister for the Civil Service as to numbers and salaries, appoint such officers and other staff for the Supreme Court (including the district probate registries) and county courts as appear to him necessary—

- (a) for setting up a unified administrative court service, and
- (b) for discharging any functions in those courts conferred by or under this or any other Act on officers so appointed, and
- (c) generally for carrying out the administrative work of those courts.

[<sup>F2</sup>(2) The principal civil service pension scheme within the meaning of section 2 of the <sup>M3</sup>Superannuation Act 1972 and for the time being in force shall, with the necessary adaptations, apply to such officers and staff as it applies to other persons employed in the civil service of the State.]

#### Textual Amendments

**F2** S. 27(2) inserted by [Superannuation Act 1972 \(c. 11\)](#), [Sch. 6 para. 80](#)

#### Modifications etc. (not altering text)

**C3** S. 27 extended by [Taxes Management Act 1970 \(c. 9, SIF 63:1\)](#), s. 4(7) (as inserted by [Finance Act 1984 \(c. 43, SIF 63:1\)](#), s. 127(1), [Sch. 22 paras. 1, 8](#))

**C4** S. 27 extended by [Finance Act 1985 \(c. 54, SIF 40:2\)](#), s. 30, [Sch. 8 para. 6\(1\)](#).  
S. 27 extended (1.9.1994) by [1994 c. 23, ss. 82\(3\)](#), 101(1)

#### Marginal Citations

**M3** 1972 c. 11.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, Part IV. (See end of Document for details)*

## 28 Provision of accommodation.

- (1) The Secretary of State for the Environment may with the approval of the Treasury provide, equip, maintain and manage such courts, offices, buildings, judges' lodgings and other accommodation as may be necessary or desirable for carrying on the business of the Supreme Court and county courts.
- (2) It is hereby declared that the expression "land necessary for the public service" in—
  - (a) section 2 of the <sup>M4</sup>Commissioners of Works Act 1852 (acquisition by agreement), and
  - <sup>F3</sup>(b) section 228(1) of the <sup>M5</sup>Town and Country Planning Act 1990 (power of Secretary of State to acquire compulsorily land necessary for the public service)]includes any land which is required to discharge the duties of the said Secretary of State under this section.
- (3) The Secretary of State for the Environment may, if he thinks fit, in discharging his duties under this section enter into arrangements with a local or other public authority for the provision of accommodation to be used in part for the purposes set out in this section, and in part for other purposes, including in particular the sittings of a magistrates' court.
- (4) Schedule 3 to this Act shall have effect as respects premises formerly used for business of the abolished courts, and judges' lodgings.

### Textual Amendments

- F3** S. 28(2)(b) substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 25, Sch. 3](#)

### Marginal Citations

- M4** 1852 c. 28.  
**M5** 1990 c.8 (123:1).

## 29 Accommodation in City of London.

- (1) The courthouse and accommodation which up to the appointed day have been respectively known as the Central Criminal Court and the Mayor's and City of London Court shall continue to be known by those names, and it shall be the duty of the Common Council of the City of London (in this section referred to as "the Common Council") to continue to make the said premises available for use for the sittings and business of those courts respectively.
- (2) The Common Council shall not undertake any alteration or extension of the buildings or accommodation which they are to make available for the purpose of the said courts, or provide further accommodation for that purpose, without the consent of the Lord Chancellor.
- (3) The duties imposed by this section on the Common Council may at any time be varied, restricted or terminated by agreement between the Lord Chancellor and the Common Council.

---

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects  
for the Courts Act 1971, Part IV. (See end of Document for details)*

---

### **30 Advisory committees.**

The Lord Chancellor may constitute, on a permanent or temporary basis, one or more advisory committees to advise him on such questions relating to the Supreme Court and county courts as he may from time to time refer to them, and shall appoint the members of any such committee with regard to their knowledge of the work of the courts and social conditions.

**Status:**

Point in time view as at 01/02/1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Courts Act 1971, Part IV.