



Courts Act 1971

1971 CHAPTER 23

PART III

JUDGES

[^{F1}24 Deputy Circuit judges and assistant Recorders.

- (1) If it appears to [^{F2}him]^{F2} that it is expedient as a temporary measure to make an appointment under this section in order to facilitate the disposal of business in the Crown Court or a county court or official referees' business in the High Court, ^{F3}...—
- (a) [^{F4}the Lord Chief Justice may, with the concurrence of the Lord Chancellor,]^{F4} appoint to be a deputy Circuit judge, during such period or on such occasions as he thinks fit, any person who has held office as a judge of the Court of Appeal or of the High Court or as a Circuit judge; ^{F5}...
- (b) [^{F6}the Lord Chancellor may]^{F6} appoint to be an assistant Recorder, during such period or on such occasions as he thinks fit, [^{F7}any person who has a 10 year Crown Court or 10 year county court qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990.].

- [No appointment of a person under subsection (1) above shall be such as to extend—
- ^{F8}(1A) (a) in the case of appointment as a deputy Circuit judge, beyond the day on which he attains the age of seventy-five; or
- (b) in the case of appointment as an assistant Recorder, beyond the day on which he attains the age of seventy;

but paragraph (b) above is subject to section 26(4) to (6) of the Judicial Pensions and Retirement Act 1993 (Lord Chancellor's power to authorise continuance in office up to the age of 75).]

- (2) Except as provided by subsection (3) below, during the period or on the occasions for which a deputy Circuit judge or assistant Recorder is appointed under this section he shall be treated for all purposes as, and accordingly may perform any of the functions of, a Circuit judge or a Recorder, as the case may be.

Status: Point in time view as at 03/04/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Courts Act 1971, Section 24. (See end of Document for details)

- (3) A deputy Circuit judge appointed under this section shall not be treated as a Circuit judge for the purpose of any provision made by or under any enactment and relating to the appointment, retirement, removal or disqualification of Circuit judges, the tenure of office and oaths, to be taken by such judges, or the remuneration, allowances or pensions of such judges; and section 21 of this Act shall not apply to an assistant Recorder appointed under this section.
- ^{F9}(4)
- (5) There shall be paid out of money provided by Parliament to deputy Circuit judges and assistant Recorders appointed under this section such remuneration and allowances as the Lord Chancellor may, with the approval of the Minister for the Civil Service, determine.]
- [^{F10}(6) 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 subsection (1)(a).^{F10}]

Textual Amendments

- F1** S. 24 with subsections (1)–(5) substituted (E.W.) for s. 24 with subsections (1)–(6) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), s. 146
- F2** Word in s. 24(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 71\(2\)\(a\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(e)
- F3** Words in s. 24(1) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 146, 148, Sch. 4 para. 71(2)(b), [Sch. 18 Pt. 2](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 paras. 11(e), 30(b)
- F4** Words in s. 24(1)(a) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 71\(2\)\(c\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(e)
- F5** Word in s. 24(1)(a) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 146, 148, Sch. 4 para. 71(2)(c), [Sch. 18 Pt. 2](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 paras. 11(e), 30(b)
- F6** Words in s. 24(1)(b) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 71\(2\)\(d\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(e)
- F7** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), s. 71(2), [Sch. 10 para. 32\(2\)](#)
- F8** S. 24(1A) inserted (31.3.1995) by 1993 c. 8, s. 26, [Sch. 6 para. 9\(2\)](#); S.I. 1995/631, [art. 2](#)
- F9** S. 24(4) repealed (31.3.1995) by 1993 c. 8, s. 26, [Sch.9](#); S.I. 1995/631, [art. 2](#)
- F10** S. 24(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 71\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(e)

Status:

Point in time view as at 03/04/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Courts Act 1971, Section 24.