



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART III

JUDICIAL AND OTHER OFFICES AND JUDICIAL PENSIONS

[^{F1}Senior Courts] Officers

77 Age for retirement of certain [^{F1}Senior Courts] officers.

(1) In section 92 of the ^{M1}[^{F2}Senior Courts Act 1981] (tenure of office) for subsection (2) there shall be substituted—

“(2) Subsection (1) applies to the offices listed in column 1 of Part II of Schedule 2 except the office of Queen’s Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals.

(2A) Subject to the following provisions of this section, a person who holds an office to which this subsection applies shall vacate it at the end of the completed year of service in the course of which he attains the age of sixty-two years.

(2B) Subsection (2A) applies to the offices listed in column 1 of Part I of Schedule 2 and the office of Queen’s Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals.

(2C) For the purposes of subsections (1) and (2A) a person who has successively held two or more offices listed in column 1 of Part I or II of Schedule 2 shall be treated as completing a year of service on the anniversary of his appointment to the first of them.”

(2) After subsection (3) of that section (retirement age increased in certain circumstances to 75 years) there shall be inserted—

“(3A) Where the Lord Chancellor considers it desirable in the public interest to retain in office a person who holds an office to which subsection (2A) applies after the time when he would otherwise retire in accordance with that subsection,

Changes to legislation: *Courts and Legal Services Act 1990, Section 77 is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

the Lord Chancellor may from time to time authorise the continuance in office of that person until such date, not being later than the date on which he attains the age of sixty-five years, as he thinks fit.”

- (3) In subsection (4) of that section (person to hold office during good behaviour) after the words “subsection (1)” there shall be inserted “ or (2A)” ”.

Textual Amendments

- F1** Words in sidenote to s. 77 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148, Sch. 11 para. 4; S.I. 2009/1604, art. 2\(d\)](#)
- F2** [S. 77](#): for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 1\(2\); S.I. 2009/1604, art. 2\(d\)](#)
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Marginal Citations

- M1** 1981 c. 54.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58A(2)(fe) inserted by [2021 c. 17 s. 53](#)