



Justice (Northern Ireland) Act 2002

2002 CHAPTER 26

PART 1

THE JUDICIARY

Other provisions

18 Qualification for appointment

- (1) ^{F1}
- (2) In section 7(1)(a) of the Judicature (Northern Ireland) Act 1978 (c. 23) (further assistance for transaction of business of High Court or Court of Appeal by Lord of Appeal in Ordinary), for “had practised for not less than ten years at the Bar of Northern Ireland” substitute “ was a member of the Bar of Northern Ireland, or a solicitor of the Supreme Court, of at least ten years’ standing ”.
- (3) For section 9 of that Act (qualification for appointment as judge of High Court or Court of Appeal) substitute—

“9 Qualification to be judge of High Court or Court of Appeal

A person is not qualified for appointment as Lord Chief Justice, a Lord Justice of Appeal or a judge of the High Court unless he is—

- (a) a member of the Bar of Northern Ireland of at least ten years’ standing;
or
 - (b) a solicitor of the Supreme Court of at least ten years’ standing.”
- (4) In section 103(1) of the County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.)) (qualification for appointment as county court judge), for the words after “unless” substitute “he is—
 - (a) a member of the Bar of Northern Ireland of at least ten years’ standing;
or
 - (b) a solicitor of the Supreme Court of at least ten years’ standing.”

Status: Point in time view as at 01/10/2009.

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- (5) In section 107(1) of that Act (qualification for appointment as deputy county court judge), for the words after “deputy judge” substitute “a person who is—
- (a) a member of the Bar of Northern Ireland of at least ten years’ standing; or
 - (b) a solicitor of the Supreme Court of at least ten years’ standing.”
- (6) In section 9(1) of the Magistrates’ Courts Act (Northern Ireland) 1964 (c. 21 (N.I.)) (qualification for appointment as resident magistrate), for the words after “appointments” substitute “are—
- (a) members of the Bar of Northern Ireland of at least seven years’ standing; or
 - (b) solicitors of the Supreme Court of at least seven years’ standing.”
- (7) In section 2(3) of the Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.)) (qualification for appointment as coroner), for the words after “unless” substitute “he is—
- (a) a member of the Bar of Northern Ireland of at least five years’ standing; or
 - (b) a solicitor of the Supreme Court of at least five years’ standing.”
- (8) In section 70(2) of the Judicature (Northern Ireland) Act 1978 (c. 23) (qualification for appointment to offices in Schedule 3), for the words after “unless” substitute “he is—
- (a) a barrister or solicitor, or in the case of the Official Solicitor a solicitor, who has at least the number of years’ standing specified in relation to that office in column 3 of that Schedule; or
 - (b) the holder of any other office so listed.”
- (9) In Schedule 3 to that Act, in each of the entries relating to a Master ^{F2}. . . , in column 3 (number of years’ standing), for “10” substitute “7”.
- (10) In section 35 of the Northern Ireland Constitution Act 1973 (c. 36) (Crown Solicitor for Northern Ireland), after subsection (1) insert—
- “(1A) A person is not qualified for appointment as Crown Solicitor unless he is—
- (a) a member of the Bar of Northern Ireland of at least ten years’ standing; or
 - (b) a solicitor of the Supreme Court of at least ten years’ standing.”

Textual Amendments

- F1** S. 18(1) repealed (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 145, 146, 148, Sch. 17 para. 33(3), **Sch. 18 Pt. 5**; S.I. 2009/1604, **art. 2**
- F2** Words in s. 18(9) repealed (1.5.2004) by Courts Act 2003 (c. 39), ss. 109(3), 110(1), **Sch. 10**; S.I. 2004/1104, **art. 3**

Commencement Information

- I1** S. 18 wholly in force at 3.4.2006: s. 18 not in force at Royal Assent see s. 87; s. 18(1)-(9) in force at 15.10.2002 by S.R. 2002/319, **art. 2 Sch.**; s. 18(10) in force at 3.4.2006 by S.R. 2006/124, **art. 2, Sch.**

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