

Status: Point in time view as at 10/03/2022.

Changes to legislation: Public Service Pensions and Judicial Offices Act 2022, SCHEDULE 4 is up to date with all changes known to be in force on or before 20 May 2024. 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)

SCHEDULES

SCHEDULE 4

Section 128

CONSEQUENTIAL ETC AMENDMENTS IN CONNECTION WITH PART 3

PART 1

AMENDMENTS OF PRIMARY LEGISLATION

Courts-Martial Appeals Act 1951 (c. 46)

- 1 In section 30 of the Courts-Martial Appeals Act 1951 (assistants to judge advocate general), omit subsections (3) to (5).

Commencement Information

- I1** Sch. 4 para. 1 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

Administration of Justice Act 1970 (c. 31)

- 2 (1) In section 10 of the Administration of Justice Act 1970 (temporary additional judges), omit subsection (1A)(b).
- (2) Sub-paragraph (1) is repealed on the coming into force of the repeal of section 10 of the Administration of Justice Act 1970 under Part 6 of Schedule 23 to the Tribunals, Courts and Enforcement Act 2007.

Commencement Information

- I2** Sch. 4 para. 2 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

Courts Act 1971 (c. 23)

- 3 In the Courts Act 1971, omit section 24 (deputy circuit judges).

Commencement Information

- I3** Sch. 4 para. 3 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

Judicature (Northern Ireland) Act 1978 (c. 23)

- 4 In section 7 of the Judicature (Northern Ireland) Act 1978 (further assistance for transaction of judicial business), omit subsection (1)(b) and the word “or” preceding it.

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Commencement Information

I4 Sch. 4 para. 4 in force at Royal Assent for specified purposes, see **s. 131(1)**

Senior Courts Act 1981 (c. 54)

- 5 (1) The Senior Courts Act 1981 is amended as follows.
- (2) In section 9 (assistance for transaction of judicial business)—
- (a) in subsection (1), in the table—
 - (i) in the heading to column 1 omit “or ex-judge”;
 - (ii) omit rows 2 and 4;
 - (b) in subsection (2B), omit the words from the beginning to “Table,”;
 - (c) omit subsection (2C);
 - (d) in subsection (3), omit paragraphs (a) and (b);
 - (e) omit subsection (8)(a).
- (3) In section 91 (deputies and temporary appointments)—
- (a) in subsection (1ZC), omit the words from “, or”, the first time it occurs, to “effect”;
 - (b) in subsection (2), omit the words from the beginning to “(3),”;
 - (c) omit subsection (3).
- (4) In section 92 (tenure of office of certain officers of Senior Courts), in subsection (1), omit “and to section 91(3)”.
- (5) In section 102 (deputy district judges), omit subsections (1B), (1C) and (3).

Commencement Information

I5 Sch. 4 para. 5 in force at Royal Assent for specified purposes, see **s. 131(1)**

County Courts Act 1984 (c. 28)

- 6 (1) The County Courts Act 1984 is amended as follows.
- (2) In section 5 (judges of the county court), in subsection (1), omit the words after paragraph (c).
- (3) In section 8 (deputy district judges), omit subsections (1ZB) and (1ZC).

Commencement Information

I6 Sch. 4 para. 6 in force at Royal Assent for specified purposes, see **s. 131(1)**

Matrimonial and Family Proceedings Act 1984 (c. 42)

- 7 In section 31C of the Matrimonial and Family Proceedings Act 1984 (judges), in subsection (1), omit the words after paragraph (y).

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Commencement Information

17 Sch. 4 para. 7 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

Judicial Pensions and Retirement Act 1993 (c. 8)

- 8 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) In section 26(7) (retirement date for holders of certain judicial offices etc), omit paragraphs (d), (f), (g) and (ga).
- (3) In Schedule 5 (retirement provisions: the relevant offices)—
- (a) in the entry for deputy or temporary master, Queen’s Bench Division, omit the words from “otherwise” to “section”;
 - (b) in the entry for deputy or temporary admiralty registrar, omit the words from “otherwise” to “section”;
 - (c) in the entry for deputy or temporary master, Chancery Division, omit the words from “otherwise” to “section”;
 - (d) in the entry for deputy or temporary insolvency and companies court judge, omit the words from “otherwise” to “section”;
 - (e) in the entry for deputy or temporary taxing master of the Senior Courts, omit the words from “otherwise” to “section”;
 - (f) in the entry for deputy or temporary district judge of the principal registry of the Family Division, omit the words from “otherwise” to “section”;
 - (g) in the entry for deputy or temporary registrar of civil appeals, omit the words from “otherwise” to “section”;
 - (h) in the entry for deputy district judge appointed under section 102 of the Senior Courts Act 1981, omit the words from “, except” to the end;
 - (i) in the entry for deputy district judge appointed under section 8 of the County Courts Act 1984, omit the words from “, except” to the end;
 - (j) at the end, after the insertions made by Schedule 1, insert—
““Sitting in retirement office under section 123 of the Public Service Pensions and Judicial Offices Act 2022”.

Commencement Information

18 Sch. 4 para. 8 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

Employment Tribunals Act 1996 (c. 17)

- 9 In section 24 of the Employment Tribunals Act 1996 (temporary additional judicial membership), in subsection (2), omit the words from the first “or” to the end.

Commencement Information

19 Sch. 4 para. 9 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

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Courts Act 2003 (c. 39)

- 10 (1) Section 64 of the Courts Act 2003 (power to alter judicial titles) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) The Lord Chancellor may by order—
- (a) alter the name of a relevant office;
- (b) provide for or alter the way in which a relevant office is to be styled.
- (2B) In subsection (2A) “a relevant office” is a sitting in retirement office under section 123 of the Public Service Pensions and Judicial Offices Act 2022 for which the corresponding original office is listed in Part 1 of Schedule 3 to that Act.”
- (3) In subsection (5), after “(1)” insert “, (2A)”.

Commencement Information

I10 Sch. 4 para. 10 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

Constitutional Reform Act 2005 (c. 4)

- 11 (1) The Constitutional Reform Act 2005 is amended as follows.
- (2) In section 85 (selection of puisne judges and other office holders)—
- (a) in subsection (2A)—
- (i) omit paragraphs (a) and (c);
- (ii) in paragraph (b), for “sections 91(1ZB) and 102(1C)” substitute “section 91(1ZB)”;
- (iii) for paragraph (d) substitute—
- “(d) section 94AA below.”;
- (b) in subsection (4)—
- (i) omit “94A.”;
- (ii) omit “or 94B”.
- (3) Omit section 94A (appointments not subject to section 85: courts).
- (4) Omit section 94B (appointments not subject to section 85: tribunals).
- (5) In section 97 (Scotland and Northern Ireland)—
- (a) in subsection (1), omit paragraph (ca);
- (b) in subsection (4), omit “94A(1) or”;
- (c) omit subsections (5) and (6).
- (6) In Schedule 7 (protected functions of the Lord Chancellor), in Part A of paragraph 4—
- (a) in the entry for the Courts Act 1971, omit “section 24”;
- (b) at the end insert—
- “*Public Service Pensions and Judicial Offices Act 2022*
Section 124(3) and (4)
Section 127”.

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Commencement Information

I11 Sch. 4 para. 11 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

PART 2

AMENDMENTS OF SECONDARY LEGISLATION

Access to Justice Act 1999 (Destination of Appeals) Order 2016 (S.I. 2016/917)

12 In the Access to Justice Act 1999 (Destination of Appeals) Order 2016 (appeals from the county court), omit article 5(1)(b).

Commencement Information

I12 Sch. 4 para. 12 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

PART 3

REPEAL OF SPENT PROVISIONS

Judicial Pensions and Retirement Act 1993 (c. 8)

13 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
(2) Omit section 26(11).
(3) In Schedule 7 (retirement dates: transitional provisions), omit paragraph 1(2).

Commencement Information

I13 Sch. 4 para. 13 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

Tribunals, Courts and Enforcement Act 2007 (c. 15)

14 (1) The Tribunals, Courts and Enforcement Act 2007 is amended as follows.
(2) In section 53 (transfer from salaried to fee-paid judicial office), omit subsections (2) and (6)(b).
(3) Omit section 58 (appointment of temporary assistants to Judge Advocate General).

Commencement Information

I14 Sch. 4 para. 14 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)

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Crime and Courts Act 2013 (c. 22)

- 15 In Schedule 13 to the Crime and Courts Act 2013 (judicial appointments), omit paragraphs 40 and 48.

Commencement Information

I15 Sch. 4 para. 15 in force at Royal Assent for specified purposes, see **s. 131(1)**

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