

## SCHEDULES

### SCHEDULE 1

Section 121

#### RETIREMENT DATE FOR HOLDERS OF JUDICIAL OFFICES ETC

#### PART 1

##### AMENDMENTS OF LEGISLATION

##### *Pensions Appeal Tribunals Act 1943 (c. 39)*

- 1 In paragraph 2 of the Schedule to the Pensions Appeal Tribunals Act 1943 (constitution, jurisdiction and procedure of Pensions Appeal Tribunals in Scotland and Northern Ireland), in sub-paragraph (4)—
- (a) omit the words from “and to” to “75”;
  - (b) for “seventy years” substitute “75”.

##### *Agriculture Act 1947 (c. 48)*

- 2 (1) Schedule 9 to the Agriculture Act 1947 (Agricultural Land Tribunal) is amended as follows.
- (2) In paragraph 13 (chairman), in sub-paragraph (2A), for the words from “seventy years” to the end substitute “75”.
  - (3) In paragraph 14 (deputy-chairmen), in sub-paragraph (2), for the words from “seventy years” to the end substitute “75”.
  - (4) In paragraph 15 (panel members), in sub-paragraph (1A), for the words from “seventy years” to the end substitute “75”.

##### *Lands Tribunal Act 1949 (c. 42)*

- 3 In section 2 of the Lands Tribunal Act 1949 (members, officers and expenses of Lands Tribunal for Scotland), in subsection (5A), for the words from “seventy” to the end substitute “75”.

##### *Foreign Compensation Act 1950 (c. 12)*

- 4 In section 1 of the Foreign Compensation Act 1950 (Foreign Compensation Commission), in subsection (3A), for the words from “seventy years” to the end substitute “75”.

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*Status: This is the original version (as it was originally enacted).*

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*Courts-Martial (Appeals) Act 1951 (c. 46)*

- 5 In section 32 of the Courts-Martial (Appeals) Act 1951 (tenure of office of Judge Advocate General and assistants), in subsection (2)—
- (a) omit the words from “, subject” to “75,”;
  - (b) for “seventy years”, in both places it occurs, substitute “75”.

*County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))*

- 6 (1) The County Courts Act (Northern Ireland) 1959 is amended as follows.
- (2) In section 105 (tenure and oaths of office and retirement of judges), in subsection (4), for the words from “seventy” to the end substitute “75”.
  - (3) In section 107 (deputy judges), in subsection (4), for the words from “seventy” to the end substitute “75”.

*Judicial Pensions Act 1959 (c. 9)*

- 7 In section 2 of the Judicial Pensions Act 1959 (retiring age), for “seventy years” substitute “75”.

*Resident Magistrates’ Pensions Act (Northern Ireland) 1960 (c.2 (N.I.))*

- 8 In section 1 of the Resident Magistrates’ Pensions Act (Northern Ireland) 1960 (retiring age of resident magistrates), for the words from “seventy” to the end substitute “75”.

*Betting, Gaming and Lotteries Act 1963 (c. 2)*

- 9 In section 29 of the Betting, Gaming and Lotteries Act 1963 (levy appeal tribunals), in subsection (2A), for the words from “seventy years” to the end substitute “75”.

*Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))*

- 10 In section 2 of the Lands Tribunal and Compensation Act (Northern Ireland) 1964 (terms of appointment and remuneration etc of members), in subsection (1)(b) for the words from “seventy years” to “75)” substitute “75”.

*Courts Act 1971 (c. 23)*

- 11 (1) The Courts Act 1971 is amended as follows.
- (2) In section 17 (retirement, removal and disqualifications of Circuit judge), in subsection (1)—
    - (a) omit the words from “and to” to “75,”;
    - (b) for “70” substitute “75”.
  - (3) In section 21 (appointment of Recorders), in subsection (5), for the words from “seventy” to the end substitute “75”.

*Misuse of Drugs Act 1971 (c. 38)*

- 12 (1) Schedule 3 to the Misuse of Drugs Act 1971 (Tribunals, Advisory Bodies and Professional Panels) is amended as follows.
- (2) In paragraph 1 (membership: tribunals), in sub-paragraph (2A), for the words from “seventy years” to the end substitute “75”.
- (3) In paragraph 13 (membership: advisory bodies), in sub-paragraph (1A), for the words from “seventy years” to the end substitute “75”.

*Industry Act 1975 (c. 68)*

- 13 In paragraph 6 of Schedule 3 to the Industry Act 1975 (membership of the tribunal), in sub-paragraph (2), for the words from “70” to the end substitute “75”.

*Rent Act 1977 (c. 42)*

- 14 In paragraph 2A of Schedule 10 to the Rent Act 1977 (rent assessment committees in Wales), for the words from “seventy years” to the end substitute “75”.

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

- 15 In section 71 of the Judicature (Northern Ireland) Act 1978 (tenure of statutory officers), for subsection (3) substitute—
- “(3) A statutory officer shall vacate office on the day on which the officer attains the age of 75.”

*Senior Courts Act 1981 (c. 54)*

- 16 (1) The Senior Courts Act 1981 is amended as follows.
- (2) In section 9 (assistance for transaction of judicial business), in subsection (4A), for the words from “70” to the end substitute “75”.
- (3) In section 11 (tenure of office of judges of Senior Courts), in subsection (2), for “seventy years” substitute “75”.
- (4) In section 92 (tenure of office of certain officers of Senior Courts), in subsection (1) —
- (a) for the words from “, to section 91(3)” to “75)” substitute “and to section 91(3)”;
- (b) for “seventy years” substitute “75”.

*Public Passenger Vehicles Act 1981 (c. 14)*

- 17 In section 4 of the Public Passenger Vehicles Act 1981 (traffic commissioners), in subsection (4)(b), for the words from “sixty five” to “direct” substitute “75”.

*Mental Health Act 1983 (c. 20)*

- 18 In paragraph 2A of Schedule 2 to the Mental Health Act 1983 (Mental Health Review Tribunal for Wales), for the words from “70” to the end substitute “75”.

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*Status: This is the original version (as it was originally enacted).*

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*County Courts Act 1984 (c. 28)*

- 19 (1) The County Courts Act 1984 is amended as follows.
- (2) In section 8 (deputy district judges), for subsection (1A) substitute—
- “(1A) Any appointment of a person as a deputy district judge must not be such as to, or be extended so as to, extend beyond the day on which the person attains the age of 75.”
- (3) In section 11, in subsection (2) (tenure of office of district judge)—
- (a) omit from the words “and to” to “75”;
- (b) for “70 years” substitute “75”.

*Reserve Forces (Safeguard of Employment) Act 1985 (c. 17)*

- 20 In paragraph 2 of Schedule 2 to the Reserve Forces (Safeguard of Employment) Act 1985 (Reinstatement Committees and Umpires), in sub-paragraph (2), for the words from “seventy” to the end substitute “75”.

*Transport Act 1985 (c. 67)*

- 21 In paragraph 3 of Schedule 4 to the Transport Act 1985 (constitution, powers and proceedings of the Transport Tribunal), in sub-paragraph (1)—
- (a) omit the words from “and to” to “seventy five”;
- (b) for “seventy” substitute “75”.

*Copyright, Designs and Patents Act 1988 (c. 48)*

- 22 In section 146 of the Copyright, Designs and Patents Act 1988 (membership of the Tribunal), in subsection (3A), for the words from “70” to the end substitute “75”.

*Child Support Act 1991 (c. 48)*

- 23 (1) Schedule 4 to the Child Support Act 1991 (Child Support Commissioners for Northern Ireland) is amended as follows.
- (2) In paragraph 1 (tenure of office), in sub-paragraph (1), for the words from “70” to the end substitute “75”.
- (3) In paragraph 4 (Deputy Child Support Commissioners), in sub-paragraph (2A), for the words from “70” to the end substitute “75”.

*Social Security Administration (Northern Ireland) Act 1992 (c. 8)*

- 24 In paragraph 1 of Schedule 2 to the Social Security Administration (Northern Ireland) Act 1992 (Commissioners: tenure of offices), in sub-paragraph (2), for the words from “70” to the end substitute “75”.

*Judicial Pensions and Retirement Act 1993 (c. 8)*

- 25 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) In section 26 (retirement date for holders of certain judicial offices etc)—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in subsection (1), for “70” substitute “75”;
  - (b) omit subsections (4) to (6);
  - (c) in subsection (8)—
    - (i) for “70” substitute “75”;
    - (ii) omit paragraph (h);
  - (d) in subsection (12), omit the definition of “the appropriate person”;
  - (e) omit subsections (12A) to (17).
- (3) In section 27 (completion of proceedings after retirement), in subsection (3), after paragraph (g) insert—
- “(h) Chief Coroner;
  - (i) Deputy Chief Coroner;
  - (j) senior coroners, area coroners and assistant coroners;
  - (k) traffic commissioners.”
- (4) In Schedule 5 (retirement provisions: the relevant offices)—
- (a) after the entry for Judge of the High Court of Justice in Northern Ireland insert—

“Temporary judge of the High Court of Justice in Northern Ireland”;
  - (b) for “Resident Magistrate appointed under the Magistrates’ Courts Act (Northern Ireland) 1964” substitute “District judge (magistrates’ courts) in Northern Ireland”;
  - (c) for “Deputy Resident Magistrate appointed under the Magistrates’ Courts Act (Northern Ireland) 1964” substitute “Deputy district judge (magistrates’ courts) in Northern Ireland”;
  - (d) after that entry insert—

“Lay magistrate appointed under the Justice Act (Northern Ireland) 2015”;
  - (e) after the entry for Employment Judge insert—

“Member of a panel (other than the panel of Employment Judges) appointed in pursuance of regulations under section 1(1) of the Employment Tribunals Act 1996  
Member of a panel appointed under regulation 7(1) of the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020 (S.R. (N.I.) 2020 No.3)”;
  - (f) omit “Chairman of industrial tribunals in Northern Ireland, appointed in pursuance of regulations under Article 3 of the Industrial Tribunals (Northern Ireland) Order 1996”;
  - (g) omit “Chairman of the Fair Employment Tribunal, appointed under Article 82(1)(c) of the Fair Employment and Treatment (Northern Ireland) Order 1998”;
  - (h) after the entry for Judge Advocate General insert—

“Vice-Judge Advocate General  
Assistant Judge Advocate General”;
  - (i) at the end insert—

“President of the Education Tribunal for Wales  
Member of the legal chair panel, or the lay panel, of the Education Tribunal for Wales

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Chairman or other member of a tribunal constituted under Schedule 3 to the Education Act 2005

President or other member of the Adjudication Panel for Wales

President or other member of the Welsh Language Tribunal

Member of the chairmen’s panel or of the lay panel appointed under Schedule 2 to the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (S.I. 2003/431 (N.I. 9)) (the Care Tribunal)

President or other member of the Charity Tribunal for Northern Ireland

Chairman or other member of the Criminal Injuries Compensation Appeals Panel for Northern Ireland

President or other member of the Northern Ireland Valuation Tribunal Adjudicators appointed under Article 29 of the Traffic Management (Northern Ireland) Order 2005 (S.I. 2005/1964 (N.I. 14))

Chairman, deputy chairman or other member of a tribunal appointed in pursuance of regulations under paragraph 19 of Schedule 11 to the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14))

President of the Special Educational Needs and Disability Tribunal for Northern Ireland

Member of a panel mentioned in Article 22(2)(b) or (c) of the Education (Northern Ireland) Order 1996 (S.I. 1996/274 (N.I. 1)) (which serves the Special Educational Needs and Disability Tribunal for Northern Ireland)

Chairman or other member of the panel mentioned in paragraph 3 of Schedule 1 to the Private Tenancies (Northern Ireland) Order 2006 (S.I. 2006/1459 (N.I. 10)) (which serves rent assessment committees)

Chairman or other member of a tribunal established for the purposes of deciding an appeal in accordance with the model rules concerning the conduct of appeals (as set out in the Schedule to the Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. (N.I.) 1997 No. 269)

Member of the Review Tribunal for Northern Ireland”.

*Merchant Shipping Act 1995 (c. 21)*

- 26 In section 297 of the Merchant Shipping Act 1995 (wreck commissioners, etc), in subsection (2), for the words from “seventy” to the end substitute “75”.

*Reserve Forces Act 1996 (c. 14)*

- 27 (1) The Reserve Forces Act 1996 is amended as follows.
- (2) In section 90 (appointment of panel of chairmen), in subsection (4), for the words from “70” to the end substitute “75”.
- (3) In section 91 (appointment of panel of ordinary members), in subsection (4), for the words from “70” to the end substitute “75”.

*Employment Tribunals Act 1996 (c. 17)*

- 28 In section 25 of the Employment Tribunals Act 1996 (tenure of appointed members) —
- (a) in subsection (2)(b) for “seventy” substitute “75”;
  - (b) omit subsection (3).

*Plant Varieties Act 1997 (c. 66)*

- 29 In paragraph 5 of Schedule 3 to the Plant Varieties Act 1997 (membership of the Plant Varieties and Seeds Tribunal)—
- (a) in sub-paragraph (2), for “70” substitute “75”;
  - (b) omit sub-paragraph (6).

*Social Security Act 1998 (c. 14)*

- 30 (1) The Social Security Act 1998 is amended as follows.
- (2) In paragraph 1 of Schedule 1 (appeals tribunals in Scotland: tenure of office), in sub-paragraph (2), for the words from “70” to the end substitute “75”.
  - (3) In paragraph 4 of Schedule 4 (Social Security Commissioners in Scotland: tenure of office), in sub-paragraph (1) for the words from “70” to the end substitute “75”.

*The Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))*

- 31 In paragraph 1 of Schedule 1 to the Social Security (Northern Ireland) Order 1998 (appeals tribunals: tenure of office), in sub-paragraph (2), for the words from “70” to the end substitute “75”.

*The Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))*

- 32 In Article 82 of the Fair Employment and Treatment (Northern Ireland) Order 1998 (President, Vice-President and Chairmen), in paragraph (3), for the words from “70” to the end substitute “75”.

*Courts Act 2003 (c. 39)*

- 33 In section 13 of the Courts Act 2003 (entry of names in the supplemental list)—
- (a) in subsection (1)—
    - (i) for the words “subsections (2) and” substitute “subsection”;
    - (ii) for “70” substitute “75”;
  - (b) omit subsection (2);
  - (c) in subsection (3)(a), for “70” substitute “75”.

*Education Act 2005 (c. 18)*

- 34 In paragraph 1 of Schedule 3 to the Education Act 2005 (registration of inspectors in Wales: constitution of tribunals)—
- (a) in sub-paragraph (3) for “70” substitute “75”;
  - (b) after sub-paragraph (3A) insert—

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“(3B) A chairman or other member of a tribunal must vacate office on reaching the age of 75.”

*Constitutional Reform Act 2005 (c. 4)*

35 In Schedule 7 to the Constitutional Reform Act 2005 (protected functions of the Lord Chancellor), in paragraph 4, under the heading “Judicial Pensions and Retirement Act 1993”, for “Section 26(5), (6), (9) and (13)” substitute “Section 26(9)”.

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

- 36 (1) The Tribunals Courts and Enforcement Act 2007 is amended as follows.
- (2) In paragraph 4 of Schedule 2 (judges and other members of First-tier Tribunal: terms of appointment), in sub-paragraph (2B)—
- (a) in paragraph (a), for “70, or” substitute “75”;
  - (b) omit paragraph (b).
- (3) In paragraph 4 of Schedule 3 (judges and other members of Upper Tribunal: terms of appointment), in sub-paragraph (2B)—
- (a) in paragraph (a), for “70, or” substitute “75”;
  - (b) omit paragraph (b).
- (4) In paragraph 7 of Schedule 3 (deputy judges of the Upper Tribunal), in sub-paragraph (3B)—
- (a) in paragraph (a), for “70, or” substitute “75”;
  - (b) omit paragraph (b).
- (5) In paragraph 5A of Schedule 4 (Chamber Presidents and Deputies: removal from office and extension of appointment), in sub-paragraph (4)—
- (a) in paragraph (a), for “70, or” substitute “75”;
  - (b) omit paragraph (b).
- (6) In Part 2 of Schedule 9 (judges and other members of First-tier and Upper tribunals: retirement dates)—
- (a) in paragraph (5)—
    - (i) in the heading, for “70” substitute “75”;
    - (ii) in sub-paragraph (1), omit the words from “Subject” to “1995,”;
    - (iii) in sub-paragraph (2), in the opening words, omit the words from “and paragraph” to “(2)”;
  - (b) in paragraph (6)—
    - (i) in the heading, for “70” substitute “75”;
    - (ii) in sub-paragraph (1)(b), for “70” substitute “75”;
    - (iii) in sub-paragraph (3)(a)(ii), for “70” substitute “75”;
  - (c) in paragraph (7)(1)(b), for “69” substitute “74”;
  - (d) omit paragraph (8);
  - (e) in paragraph (9)—
    - (i) in the heading, for “70” substitute “75”;
    - (ii) in sub-paragraph (1)(a), for “70” substitute “75”;
    - (iii) in sub-paragraph (2)(a), for “70” substitute “75”;



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(iv) in sub-paragraph (3), for “70” substitute “75”.

*Charities Act (Northern Ireland) 2008 (c. 12 (N.I.))*

- 37 In Schedule 2 to the Charities Act (Northern Ireland) 2008 (the Charity Tribunal)—
- (a) in paragraph 4(1), for “70” substitute “75”;
  - (b) omit paragraph 4(2).

*Coroners and Justice Act 2009 (c. 25)*

- 38 (1) The Coroners and Justice Act 2009 is amended as follows.
- (2) In Schedule 3 (appointment of senior coroners, area coroners and assistant coroners: vacation or termination of office)—
- (a) in paragraph (3)(a), for “70” substitute “75”;
  - (b) in paragraph 10, for “70” substitute “75”.
- (3) In Schedule 4 (Coroner for Treasure and Assistant Coroners for Treasure)—
- (a) in paragraph 2(a), for “70” substitute “75”;
  - (b) in paragraph 3, for “70” substitute “75”.
- (4) In Schedule 8 (Chief Coroner and Deputy Chief Coroner)—
- (a) in paragraph 1(2)(b), for “70” substitute “75”;
  - (b) in paragraph 1(4), for “70” substitute “75”;
  - (c) in paragraph 2(2)(b), for “70” substitute “75”;
  - (d) in paragraph 2(5), for “70” substitute “75”.

*Welsh Language (Wales) Measure 2011 (2011 nawm 1)*

- 39 (1) In the English language text of Schedule 11 to the Welsh Language (Wales) Measure 2011 (the Welsh Language Tribunal)—
- (a) in paragraph 11, after “Tribunal”, the first time it occurs, insert “—
    - (a) on reaching the age of 75, or
    - (b)”;;
  - (b) in paragraph 15, for “70” substitute “75”.
- (2) In the Welsh language text of Schedule 11 to the Welsh Language (Wales) Measure 2011 (the Welsh Language Tribunal)—
- (a) in paragraph 11, after “Tribiwnlys”, the first time it occurs, insert “—
    - (a) ar gyrraedd 75 oed, neu
    - (b)”;;
  - (b) in paragraph 15, for “70” substitute “75”.

*Tribunals (Scotland) Act 2014 (asp 10)*

- 40 In Schedule 7 to the Tribunals (Scotland) Act 2014, omit paragraph 10.

*Justice Act (Northern Ireland) 2015 (c. 9 (N.I.))*

- 41 In section 4 of the Justice Act (Northern Ireland) 2015 (lay magistrates), in subsection (11), for “70” substitute “75”.

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*Status: This is the original version (as it was originally enacted).*

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*Victims' Payment Regulations 2020 (S.I. 2020/103)*

- 42 (1) Schedule 1 to the Victims' Payment Regulations 2020 (the Board) is amended as follows.
- (2) In paragraph 5, in sub-paragraph (5), for "70" substitute "75".
- (3) Omit sub-paragraph 6.

**PART 2**

TRANSITIONAL PROVISION

*General*

- 43 An amendment made by Part 1 of this Schedule has effect in relation to a person appointed to an office to which the amendment relates whether the person was appointed before or after the coming into force of the amendment.

*Lay justices in England and Wales*

- 44 (1) This paragraph applies if on the commencement date—
- (a) a person's name is on the supplemental list, and
- (b) the person is aged between 70 and 75.
- (2) The Lord Chancellor may, with the concurrence of the Lord Chief Justice, direct that the person's name be removed from the supplemental list for a period specified in the direction ("the temporary period").
- (3) A direction under sub-paragraph (2) may be made only if—
- (a) the person has applied for their name to be removed, and
- (b) the Lord Chancellor is satisfied that the direction is expedient as a temporary measure in order to facilitate the disposal of business in the magistrates' courts or the family court.
- (4) The temporary period must end no later than the day on which the person attains the age of 75.
- (5) Subject to that, the Lord Chancellor may, with the concurrence of the Lord Chief Justice, amend a direction under sub-paragraph (2) to extend the temporary period, if the Lord Chancellor is satisfied that the extension of the period would be expedient as a temporary measure in order to facilitate the disposal of business in the magistrates' courts or the family court.
- (6) The power in sub-paragraph (2) may be exercised more than once.
- (7) Where the person's name was entered on the supplemental list as a result of section 13(4) or (5) of the Courts Act 2003, section 14(2) of that Act does not apply to the removal of the person's name from the list.
- (8) A person's name that, as a result of sub-paragraph (2), is not in the supplemental list must be entered in the list at the end of the temporary period.

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- (9) The Lord Chief Justice may nominate a judicial office holder as defined in section 109(4) of the Constitutional Reform Act 2005 to exercise functions of the Lord Chief Justice under this paragraph.
- (10) In this paragraph—
- (a) “the commencement date” means the date on which the amendments made by paragraph 33 come into force;
  - (b) “the supplemental list” has the meaning given by section 12 of the Courts Act 2003 (and references to entry in and removal from the supplemental list are to be construed accordingly).

### *Lay magistrates in Northern Ireland*

- 45 (1) If—
- (a) a person ceased to hold office before the commencement date by virtue of section 4(11) of the [Justice Act \(Northern Ireland\) 2015 \(c. 9 \(N.I.\)\)](#), and
  - (b) the person has not attained the age of 75,
- the Northern Ireland Judicial Appointments Commission may appoint the person as a lay magistrate under this paragraph.
- (2) For the purposes of sub-paragraph (1)—
- (a) section 4(5) of that Act (which prohibits the appointment of a lay magistrate unless certain training requirements are met) is to be ignored, and
  - (b) the reference in section 4(7) of that Act to eligibility for appointment as a lay magistrate includes eligibility for appointment under this paragraph.
- (3) In this paragraph “the commencement date” means the date on which the amendment made by paragraph 25(4)(d) takes effect.

## **PART 3**

### REPEAL OF SPENT PROVISIONS ETC

- 46 Omit paragraph 3(3) of Schedule 9B to the Rates (Northern Ireland) Order 1977 ([S.I. 1977/2157 \(N.I. 28\)](#)).
- 47 (1) The Judicature (Northern Ireland) Act 1978 is amended as follows.
- (2) In section 12B (tenure of office: Lord Chief Justice), in subsection (1), omit “, and Schedule 7 to,”.
  - (3) In section 12C (tenure of office: Lords Justices of Appeal and certain High Court judges), in subsection (1), omit “, and Schedule 7 to,”.
- 48 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) In Schedule 5 (retirement provisions: the relevant offices), omit the following entries—
    - (a) Chairman of the Foreign Compensation Commission;
    - (b) Commons Commissioner;
    - (c) Chairman of a Registered Homes Tribunal constituted under the Registered Homes Act 1984;
    - (d) Member of the Pensions Regulator Tribunal.

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*Status: This is the original version (as it was originally enacted).*

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- (3) In Schedule 6 (retirement dates for certain judicial offices), omit paragraphs 1, 2, 6, 10, 11, 15, 27 to 29, 33, 36, 43, 44, 53, 55, 61 and 62.
- (4) Omit Schedule 7 except for paragraph 1(2).
- 49 Omit paragraph 42 of Schedule 39 to the Education Act 1996.
- 50 Omit paragraph 3(4) of Schedule 15 to the Immigration and Asylum Act 1999.

## SCHEDULE 2

Section 122

## ALLOWANCES PAYABLE TO JUDICIAL OFFICE HOLDERS

*Compensation (Defence) Act 1939 (c. 75)*

- 1 In section 8 of the Compensation (Defence) Act 1939 (constitution of tribunals), in subsection (5)(a), after “(if any)” insert “and such allowances (if any)”.

*Lands Tribunal Act 1949 (c. 42)*

- 2 (1) Section 2 of the Lands Tribunal Act 1949 (members, officers and expenses of Lands Tribunal for Scotland) is amended as follows.
- (2) In subsection (6), omit “travelling and subsistence”.
- (3) In subsection (10), after “remuneration” insert “and allowances”.

*Courts-Martial (Appeals) Act 1951 (c. 46)*

- 3 In section 33 of the Courts-Martial (Appeals) Act 1951 (salaries of Judge Advocate General and assistants), omit “travelling and subsistence”.

*Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.))*

- 4 In section 2 of the Coroners Act (Northern Ireland) 1959 (appointment of coroners etc), in subsection (1), after “superannuation” insert “the payment of allowances”.

*County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))*

- 5 In section 106 of the County Courts Act (Northern Ireland) 1959 (salaries and allowances of judges), for subsections (3) and (4) substitute—
- “(3) The Department of Justice may pay to any judge such allowances as may be determined by the Lord Chancellor with the consent of the Treasury.”

*Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))*

- 6 (1) Section 5 of the Lands Tribunal and Compensation Act (Northern Ireland) 1964 (travelling and subsistence allowances and other financial provisions) is amended as follows.
- (2) In the heading, omit “travelling and subsistence”.

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- (3) In subsection (1), for “travelling and subsistence allowances at such rates” substitute “such allowances”.

*Courts-Martial (Appeals) Act 1968 (c. 20)*

- 7 In section 2 of the Courts-Martial (Appeals) Act 1968 (judges), in subsection (3), omit “travelling and subsistence”.

*Administration of Justice Act 1973 (c. 15)*

- 8 (1) Section 9 of the Administration of Justice Act 1973 (judicial salaries) is amended as follows.
- (2) In the heading, at the end insert “etc”.
- (3) After subsection (3) insert—
- “(3A) There may be paid to judges of the Court of Session such allowances as may be determined, with the consent of Treasury, by the Lord Chancellor.”

*Senior Courts Act 1981 (c. 54)*

- 9 (1) Section 89 of the Senior Courts Act 1981 (masters and registrars) is amended as follows.
- (2) In subsection (7A), after “salary”, in both places it occurs, insert “and such allowances”.
- (3) In subsection (8), after “salaries” insert “and allowances”.

*County Courts Act 1984 (c. 28)*

- 10 In section 6 of the County Courts Act 1984 (district judges), in subsection (5), after “salary” insert “and such allowances”.

*Transport Act 1985 (c. 67)*

- 11 (1) Schedule 4 of the Transport Act 1985 (constitution, powers and proceedings of the transport tribunal) is amended as follows.
- (2) In paragraph 6, after “remuneration” insert “and such allowances”.
- (3) In paragraph 7, after “remuneration” insert “or allowances”.

*Social Security Administration (Northern Ireland) Act 1992 (c. 8)*

- 12 In paragraph 7 of Schedule 2 to the Social Security Administration (Northern Ireland) Act 1992 (Commissioners: supplementary provisions)—
- (a) for “Lord Chancellor” substitute “Department of Justice”;
- (b) after “remuneration,” insert “and such allowances”;
- (c) for “Treasury” substitute “Lord Chancellor”.

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*Status: This is the original version (as it was originally enacted).*

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*Scottish Land Court Act 1993 (c. 45)*

- 13 (1) Schedule 1 to the Scottish Land Court Act 1993 (the Land Court) is amended as follows.
- (2) In paragraph 3—
- (a) in sub-paragraph (1), after “salary” insert “and such allowances”;
  - (b) in sub-paragraph (2), after “salary” insert “and such allowances”;
  - (c) in sub-paragraph (3), after “salary” insert “or an allowance”.
- (3) In paragraph 18, after sub-paragraph (2) insert—
- “(2A) The SCTS may pay to persons appointed under paragraph 10 of this Schedule such allowances as the SCTS may determine.”

*Merchant Shipping Act 1995 (c. 21)*

- 14 In section 297 of the Merchant Shipping Act 1995 (wreck commissioners etc), in subsection (4), after “remuneration” insert “and such allowances”.

*Employment Tribunals Act 1996 (c. 17)*

- 15 In section 5 of the Employment Tribunals Act 1996 (remuneration, fees and allowances), in subsection (1), after “remuneration” insert “and such allowances”.

*Education (Northern Ireland) Order 1996 (S.I. 1996/274 (N.I. 1))*

- 16 In Article 22 of the Education (Northern Ireland) Order 1996 (constitution of Tribunal), in paragraph (6)(a), after “remuneration” insert “, allowances”.

*Industrial Tribunals (Northern Ireland) Order 1996 (S.I. 1996/1921 (N.I. 18))*

- 17 In Article 7 of the Industrial Tribunals (Northern Ireland) Order 1996 (remuneration, fees and allowances), in paragraph (1), in the words after paragraph (c), after “remuneration” insert “and allowances”.

*Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. (N.I.) 1997 No. 269)*

- 18 In Chapter 1 of the Schedule to the Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997, in rule 6 of the model Rules (appointment of the Tribunal), in paragraph (8), after “fees” insert “, allowances”.

*Traffic Management (Northern Ireland) Order 2005 No. 1964 (N.I. 14)*

- 19 In Article 31 of the Traffic Management (Northern Ireland) Order 2005 (further provisions relating to adjudicators), after paragraph (2) insert—
- “(2A) The Department may pay to an adjudicator such allowances as the Department may determine.”

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*Status: This is the original version (as it was originally enacted).*

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*Judiciary and Courts (Scotland) Act 2008 (asp 6)*

- 20 (1) Section 20G of the Judiciary and Courts (Scotland) Act 2008 (remuneration and expenses of temporary and former judges) is amended as follows.
- (2) In subsection (1), after “remuneration” insert “and such allowances”.
- (3) In subsection (2), after “remuneration” insert “and different amounts of allowances”.

*Courts Reform (Scotland) Act 2014 (asp 18)*

- 21 (1) The Courts Reform (Scotland) Act 2014 is amended as follows.
- (2) In section 16 (remuneration)—
- (a) in subsection (1), after “salary” insert “and such allowances”;
  - (b) in subsection (3), after “remuneration” insert “and such allowances”;
  - (c) in subsection (4), after “remuneration” insert “and different amounts of allowances”;
  - (d) in subsection (5), after “remuneration” insert “and such allowances”;
  - (e) in subsection (6), after “remuneration” insert “and different amounts of allowances”;
  - (f) in subsection (12), after “salaries” insert “, allowances”;
  - (g) in subsection (13)—
    - (i) after “salary” insert “or an allowance”;
    - (ii) after “remuneration” insert “or an allowance”.
- (3) In section 124 (payment of salaries of Court of Session judges)—
- (a) in the heading, after “salaries” insert “and allowances”;
  - (b) in subsection (1), after “salaries”, in the first place it occurs, insert “and allowances”;
  - (c) in subsection (2), after “salaries” insert “and such allowances”.

SCHEDULE 3

Section 123

JUDICIAL OFFICES

**PART 1**

LORD CHIEF JUSTICE AS APPOINTING AUTHORITY  
FOR CORRESPONDING SITTING IN RETIREMENT OFFICE

Admiralty Registrar  
Appointed Person for design rights appeal  
Appointed Person for trademark appeals  
Assistant Judge Advocate General  
Circuit Judge  
Deputy Admiralty Registrar  
Deputy District Judge  
Deputy District Judge (Magistrates’ Courts) (England and Wales)

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*Status: This is the original version (as it was originally enacted).*

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Deputy District Judge of the Principal Registry of the Family Division  
 Deputy Insolvency and Companies Court Judge  
 Deputy Master, Chancery Division  
 Deputy Master, Queen’s Bench Division  
 Deputy Registrar of Civil Appeals  
 Deputy Taxing Master of the Senior Courts  
 District Judge  
 District Judge (Magistrates’ Courts) (England and Wales)  
 District Judge of the Principal Registry of the Family Division  
 High Court Judge (England and Wales)  
 Insolvency and Companies Court Judge  
 Lord Justice of Appeal (England and Wales)  
 Master, Chancery Division  
 Master, Queen’s Bench Division  
 Recorder  
 Registrar of Civil Appeals  
 Taxing Master of the Senior Courts

## **PART 2**

### SENIOR PRESIDENT OF TRIBUNALS AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE

Chair of the Reinstatement Committee  
 Chairman of the National Security Certificate Appeals Tribunal (Northern Ireland)  
 Chairman of the Reserve Forces Appeal Tribunal  
 Deputy Chairman of the National Security Certificate Appeals Tribunal (Northern Ireland)  
 Deputy Judge of the Upper Tribunal  
 Employment Judge (England and Wales)  
 Judge of the First-tier Tribunal  
 Judge of the Upper Tribunal  
 Member of a panel of chairmen of the Competition Appeal Tribunal  
 Member of the panel of chairmen of the Health Service Products (Pricing, Cost Control and Information) Appeals Tribunal  
 Non-judicial Member of the First-tier Tribunal  
 Non-judicial Member of the Upper Tribunal

## **PART 3**

### LORD CHIEF JUSTICE OF NORTHERN IRELAND AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE

Child Support Commissioner for Northern Ireland  
 Coroner (Northern Ireland)  
 County Court Judge (Northern Ireland)  
 Deputy Child Support Commissioner for Northern Ireland  
 Deputy Coroner (Northern Ireland)



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*Status: This is the original version (as it was originally enacted).*

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Deputy County Court Judge (Northern Ireland)  
Deputy District Judge (Magistrates' Courts) (Northern Ireland)  
Deputy Social Security Commissioner for Northern Ireland  
Deputy statutory officer (appointed under section 74 of the Judicature (Northern Ireland) Act 1978)  
District Judge (Northern Ireland)  
District Judge (Magistrates' Courts) (Northern Ireland)  
High Court Judge (Northern Ireland)  
Legally Qualified Member of the Pensions Appeal Tribunal for Northern Ireland  
Lord Justice of Appeal (Northern Ireland)  
Master (Bankruptcy) (Northern Ireland)  
Master (Care and Protection) (Northern Ireland)  
Master (Chancery) (Northern Ireland)  
Master (Enforcement of Judgments) (Northern Ireland)  
Master (High Court) (Northern Ireland)  
Master (Probate and Matrimonial) (Northern Ireland)  
Master (Queen's Bench and Appeals) (Northern Ireland)  
Master (Taxing Office) (Northern Ireland)  
Social Security Commissioner for Northern Ireland

#### **PART 4**

NORTHERN IRELAND JUDICIAL APPOINTMENTS COMMISSION AS APPOINTING  
AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE

Member of a panel constituted under Article 7(1) of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))  
Member of a panel of employment judges appointed in accordance with regulation 7(1) (a) of the Industrial Tribunals and Fair Employment Tribunal (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2020 (S.R. (N.I.) 2020 No.3)  
Member of the Lands Tribunal of Northern Ireland

#### **PART 5**

PRESIDENT OF WELSH TRIBUNALS AS APPOINTING AUTHORITY  
FOR CORRESPONDING SITTING IN RETIREMENT OFFICE

Deputy Chair of the of the Agricultural Land Tribunal for Wales  
Legal member of the Mental Health Review Tribunal for Wales  
Legal member of the Rent Assessment Committee Wales  
Legal member of the Welsh Language Tribunal  
Member of the Adjudication Panel for Wales  
Member of the legal chair panel of the Education Tribunal for Wales

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*Status: This is the original version (as it was originally enacted).*

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## PART 6

LORD PRESIDENT OF THE COURT OF SESSION AS APPOINTING  
 AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE  
 Employment Judge (Scotland)

### 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).

#### *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.

#### *Courts Act 1971 (c. 23)*

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

#### *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.

#### *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);

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- (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).

*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).

*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).

*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;

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- (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”.

*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.

*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)”.

*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—

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- (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”.

## 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).

## 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).

#### *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).

#### *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.