



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 3

JUDICIAL OFFICES

Sitting in retirement offices

126 Discipline and removal from office

- (1) A person appointed to a relevant sitting in retirement office may be removed from that office only on a qualifying ground and—
 - (a) if the corresponding original office is the office of High Court Judge (England and Wales) or Lord Justice of Appeal (England and Wales), by the Lord Chancellor with the agreement of the Lord Chief Justice, or
 - (b) in any other case, by the appropriate person.
- (2) The exercise of the power under subsection (1)(b) is subject to any approval that is required in relation to the exercise of the equivalent power in relation to the corresponding original office.
- (3) In subsection (1), a “qualifying ground” is—
 - (a) a ground specified in the person’s terms of appointment, or
 - (b) the ground of inability or misbehaviour.
- (4) Subsection (5) applies to a sitting in retirement office if—
 - (a) the corresponding original office is listed in Schedule 14 to the Constitutional Reform Act 2005, or
 - (b) the corresponding original office is an office listed in section 109(5) of that Act (senior judges).

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 126. (See end of Document for details)

- (5) Chapter 3 of Part 4 of the Constitutional Reform Act 2005 (discipline) applies to the sitting in retirement office as it would apply if the office were listed in Schedule 14 to that Act.
- (6) Subsection (7) applies to a sitting in retirement office if the corresponding original office is listed in Part 3 or 4 of Schedule 3 to this Act.
- (7) Section 7 of the Justice (Northern Ireland) Act 2002 (removal from listed judicial offices) applies to the sitting in retirement office as it would apply if the office were listed in Schedule 1 to that Act.
- (8) In this section, a “relevant sitting in retirement office” is a sitting in retirement office for which the corresponding original office is listed in Part 1, 2, 5 or 6 of Schedule 3 to this Act.
- (9) In this section, “the appropriate person” has the meaning given by section 125.

Commencement Information

- I1** S. 126 in force at Royal Assent for specified purposes, see **s. 131(1)**
- I2** S. 126 in force at 1.10.2022 in so far as not already in force by **S.I. 2022/1014, reg. 2(a)**

Changes to legislation:

There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 126.