



Supreme Court Act 1981

1981 CHAPTER 54

PART IV

OFFICERS AND OFFICES

Appointment of certain officers of Supreme Court

88 Qualification for office

A person shall not be qualified for appointment to any office in the Supreme Court listed in column 1 of any Part of Schedule 2 unless he is a person of any description specified in relation to that office in column 2 of that Part.

89 Masters and registrars

- (1) The power to make appointments to the offices in the Supreme Court listed in column 1 of Parts II and III of Schedule 2 shall be exercisable by the Lord Chancellor, with the concurrence of the Minister for the Civil Service as to numbers and salaries.
- (2) The person appointed to the office of Queen's coroner and attorney and master of the Crown Office shall, by virtue of his appointment, be a master of the Queen's Bench Division.
- (3) The Lord Chancellor shall appoint—
 - (a) one of the masters of the Queen's Bench Division as Senior Master of that Division ;
 - (b) one of the masters of the Chancery Division as Chief Chancery Master;
 - (c) one of the taxing masters of the Supreme Court as Chief Taxing Master;
 - (d) one of the registrars in bankruptcy of the High Court as Chief Bankruptcy Registrar ;
 - (e) one of the registrars of the Principal Registry of the Family Division as Senior Registrar of that Division; and
 - (f) one of the Chancery registrars as Chief Chancery Registrar,

Status: This is the original version (as it was originally enacted).

with, in each case, such additional salary in respect of that appointment as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine.

- (4) The person appointed Senior Master under subsection (3) (a) shall hold and perform the duties of the offices of the Queen's Remembrancer and registrar of judgments.
- (5) The following offices are hereby abolished—
 - (a) Assistant Master, Queen's Bench Division ;
 - (b) Taxing Master, High Court in Bankruptcy ; and
 - (c) Assistant Admiralty Registrar ;but, as respects the office mentioned in paragraph (a), this subsection shall not have effect so long as there remains in office any person who held that office immediately before the commencement of this Act.
- (6) The Lord Chancellor may by order provide for the abolition of the office of Registrar or Assistant Registrar, Chancery Division ; and any order under this subsection abolishing an office may make such consequential or transitional provision as appears to the Lord Chancellor to be necessary or expedient in connection with the abolition of that office, including the amendment or repeal of any statutory provision relating to that office or to existing or past holders of it.
- (7) Any order under subsection (6) shall be made by statutory instrument, which shall be laid before Parliament after being made.
- (8) Salaries payable under or by virtue of this section shall be paid out of money provided by Parliament.

90 Official Solicitor

- (1) There shall continue to be an Official Solicitor to the Supreme Court, who shall be appointed by the Lord Chancellor.
- (2) There shall be paid to the Official Solicitor out of money provided by Parliament such salary as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine.
- (3) The Official Solicitor shall have such powers and perform such duties as may for the time being be conferred or imposed on the holder of that office—
 - (a) by or under this or any other Act; or
 - (b) by or in accordance with any direction given (before or after the commencement of this Act) by the Lord Chancellor.
- (4) If—
 - (a) the Official Solicitor is not available because of his absence or for some other reason; or
 - (b) his office is vacant,then, during such unavailability or vacancy, any powers or duties of the Official Solicitor shall be exercisable or fall to be performed by any person for the time being appointed by the Lord Chancellor as deputy to the Official Solicitor (and any property vested in the Official Solicitor may accordingly be dealt with by any such person in all respects as if it were vested in him instead).

91 Deputies and temporary appointments

- (1) If it appears to the Lord Chancellor that it is expedient to do so in order to facilitate the disposal of business in the Supreme Court, he may appoint a person—
 - (a) to act as a deputy for any person holding an office listed in column 1 of Part II or III of Schedule 2; or
 - (b) to act as a temporary additional officer in any such office, during such period or on such occasions as the Lord Chancellor thinks fit.
- (2) Subject to subsection (3), a person shall not be qualified for appointment under this section if the office in which he would act by virtue of the appointment is one to which he is not qualified for permanent appointment.
- (3) A person may be appointed under this section if he would, but for his age, be qualified for permanent appointment to the office in question and he has previously held a permanent appointment to that office or—
 - (a) where the office in question is listed in column 1 of Part II of Schedule 2, to any other office so listed; or
 - (b) where the office in question is listed in column 1 of Part III of that Schedule, to any other office listed in column 1 of either Part II or Part III; or
 - (c) (whatever the office in question) to the office of county court registrar.
- (4) Every person, while acting under this section, shall have all the jurisdiction of a person permanently appointed to the office in which he is acting.
- (5) Notwithstanding the expiry of any period for which a person is appointed under this section—
 - (a) he may act as if that period had not expired for the purpose of continuing to deal with, giving judgment in, or dealing with any ancillary matter relating to, any case with which he may have been concerned during that period; and
 - (b) for that purpose, and for the purpose of any proceedings arising out of any such case or matter, he shall be treated as acting or, as the case may be, having acted under that appointment.
- (6) The Lord Chancellor may, out of money provided by Parliament, pay* to any person appointed under this section such remuneration and allowances as he may, with the concurrence of the Minister for the Civil Service, determine.