



Senior Courts Act 1981

1981 CHAPTER 54

PART IV

OFFICERS AND OFFICES

Other provisions relating to officers of Supreme Court

92 Tenure of office.

- (1) Subject to the following provisions of this section [^{F1}and to subsections (4) to (6) of section 26 of the Judicial Pensions and Retirement Act 1993 (Lord Chancellor's power to authorise continuance in office up to the age of 75)], a person who holds an office to which this subsection applies shall vacate it [^{F2}on the day on which he attains the age of seventy years.]
- [^{F3}(2) Subsection (1) applies to the offices listed in column 1 of Part II of Schedule 2 except the office of Queen's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals.
- (2A) Subject to the following provisions of this section, a person who holds an office to which this subsection applies shall vacate it at the end of the completed year of service in the course of which he attains the age of sixty-two years.
- (2B) Subsection (2A) applies to the offices listed in column 1 of Part I of Schedule 2 ^{F4}. . . .
- ^{F5}(2C)]
- [^{F6}(2D) Subject to the following provisions of this section, a person who holds an office to which this subsection applies shall vacate it on the day on which he attains the age of sixty-two years.
- (2E) Subsection (2D) applies to the office of Queen's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals.]
- ^{F5}(3)]

Status: Point in time view as at 31/03/1995.

Changes to legislation: Senior Courts Act 1981, Cross Heading: Other provisions relating to officers of Supreme Court is up to date with all changes known to be in force on or before 30 June 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)

- [^{F7}(3A) Where the Lord Chancellor considers it desirable in the public interest to retain in office a person who holds an office to which subsection (2A) applies after the time when he would otherwise retire in accordance with that subsection, the Lord Chancellor may from time to time authorise the continuance in office of that person until such date, not being later than the date on which he attains the age of sixty-five years, as he thinks fit.]
- (4) A person appointed to an office to which subsection (1) [^{F8}, (2A) or (2D)] applies shall hold that office during good behaviour.
- (5) The power to remove such a person from his office on account of misbehaviour shall be exercisable by the Lord Chancellor.
- (6) The Lord Chancellor may also remove such a person from his office on account of inability to perform the duties of his office.
- (7) A person appointed to an office listed in column 1 of Part III of Schedule 2 shall hold that office during Her Majesty's pleasure.

Textual Amendments

- F1** Words in s. 92(1) inserted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 14(2)(a)** (with Sch. 7. paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**.
- F2** Words in s. 92(1) substituted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 14(2)(b)** (with Sch. 7. paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**.
- F3** S. 92(2)–(2C) substituted for S. 92(2) by Courts and Legal Services Act 1990 (c. 41, SIF 37), **s. 77(1)** (subject to a saving in Sch. 19 para. 7)
- F4** Words in s. 92(2B) repealed (31.3.1995) by 1993 c. 8, s. 26, Sch. 6 para. 14(3), **Sch.9** (with Sch. 7. paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**.
- F5** S. 92(2C)(3) repealed (31.3.1995) by 1993 c. 8, s. 26, Sch. 6 para. 14(4)(6), **Sch.9** (with Sch. 7. paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**.
- F6** S. 92(2D)(2E) inserted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 14(5)** (with Sch. 7. paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**.
- F7** S. 92(3A) inserted by Courts and Legal Services Act 1990 (c. 41, SIF 37), **s. 77(2)**
- F8** Words in s. 92(4) substituted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para. 14(7)** (with Sch. 7. paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**.

Modifications etc. (not altering text)

- C1** S. 92(2A) excluded by Courts and Legal Services Act 1990 (c. 41, SIF 37, 76:1), s. 125(6), **Sch. 19 para. 7**

93 Status of officers for purposes of salary and pension.

- (1) Subject to subsection (2), any person who holds an office listed in column 1 of any Part of Schedule 2 [^{F9}or the office of Accountant General of the Supreme Court] and is not employed in the civil service of the State shall be deemed to be so employed for the purposes of salary and pension.
- (2) Subsection (1), so far as it relates to pension, shall not apply to a person holding [^{F10}qualifying judicial office, within the meaning of the ^{M1}Judicial Pensions and Retirement Act 1993.]

Status: Point in time view as at 31/03/1995.

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Textual Amendments

F9 Words inserted by [Public Trustee and Administration of Funds Act 1986 \(c. 57, SIF 57\)](#), s. 1(3), **Sch. para. 2**

F10 Words in [S. 93\(2\)](#) substituted (31.3.1995) by [1993 c. 8, s. 31, Sch. 8 para. 15\(2\)](#); [S.I. 1995/631, art.2](#).

Marginal Citations

M1 [1993 C. 8](#).

F1194

Textual Amendments

F11 [S. 94](#) repealed by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 125(7), **Sch. 20**

95 Property held by officers.

Any property held in his official capacity by a person holding an office listed in column 1 of Part II of Schedule 2 or by the Official Solicitor shall, on his dying or ceasing to hold office, vest in the person appointed to succeed him without any conveyance, assignment or transfer.

Status:

Point in time view as at 31/03/1995.

Changes to legislation:

Senior Courts Act 1981, Cross Heading: Other provisions relating to officers of Supreme Court is up to date with all changes known to be in force on or before 30 June 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.