



# Courts Act 1971

## 1971 CHAPTER 23

### PART III

#### JUDGES

#### 22 Oaths to be taken by Circuit judges and Recorders.

- (1) Subject to the following provisions of this section, every Circuit judge and every Recorder shall take the oath of allegiance and the judicial oath; and the <sup>M1</sup>Promissory Oaths Act 1868 shall have effect as if the officers named in the Second Part of the Schedule to that Act included Circuit judges and Recorders.
- (2) Notwithstanding anything in the <sup>M2</sup>Promissory Oaths Act 1871, a Circuit judge shall take the oaths referred to in subsection (1) above before the [<sup>F1</sup>Lord Chief Justice], and a Recorder shall take those oaths before a judge of the Court of Appeal or of the High Court or a Circuit judge.
- (3) Nothing in this section shall require an oath to be taken by a person who becomes a Circuit judge in accordance with any provision of Part I of Schedule 2 to this Act.

[<sup>F2</sup>(3A) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).]

#### Textual Amendments

- F1** Words in s. 22(2) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, **Sch. 4 para. 70(2)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(e)
- F2** S. 22(3A) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, **Sch. 4 para. 70(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(e)

#### Marginal Citations

- M1** 1868 c. 72.  
**M2** 1871 c. 48.

**Status:**

Point in time view as at 03/04/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the Courts Act 1971, Section 22.