



Courts Act 1971

1971 CHAPTER 23

PART III

JUDGES

[^{F1}24 Deputy Circuit judges ^{F2}

(1) If it appears to [^{F3} him]^{F3} that it is expedient as a temporary measure to make an appointment under this section in order to facilitate the disposal of business in the Crown Court or [^{F4} county court or any other court or tribunal to which a person appointed under this subsection may be deployed] or official referees' business in the High Court, ^{F5} ...—

[^{F6}(a) the [^{F7}Lord Chief Justice may, with the concurrence of the Lord Chancellor,] appoint to be a deputy Circuit judge, during such period or on such occasions as the Lord Chancellor thinks fit, any person who has held office as a judge of the Court of Appeal or of the High Court or as a Circuit judge;]

^{F8}(b)

^{F9}[No appointment of a person under subsection (1) above shall be such as to^{F10}, or be (1A) extended under subsection (5B) below so as to,] extend—

(a) ^{F11} ... beyond the day on which he attains the age of seventy-five ^{F12} ...]

(2) Except as provided by subsection (3) below, during the period or on the occasions for which a deputy Circuit judge ^{F13} ... is appointed under this section he shall be treated for all purposes as, and accordingly may perform any of the functions of, a Circuit judge ^{F14}

(3) A deputy Circuit judge appointed under this section shall not be treated as a Circuit judge for the purpose of any provision made by or under any enactment and relating to the appointment, retirement, removal or disqualification of Circuit judges, the tenure of office and oaths, to be taken by such judges, or the remuneration, allowances or pensions of such judges ^{F15}

^{F16}(4)

Status: Point in time view as at 01/10/2013. This version of this provision has been superseded.

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- (5) There shall be paid out of money provided by Parliament to deputy Circuit judges^{F17} ... appointed under this section such remuneration and allowances as the Lord Chancellor may, with the approval of the Minister for the Civil Service, determine.]
- [^{F18}(5A) A person may be removed from office as a deputy Circuit judge—
- (a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and
 - (b) only on—
 - (i) the ground of inability or misbehaviour, or
 - (ii) a ground specified in the person's terms of appointment.
- (5B) Subject to subsections (1A) and (5C), the Lord Chancellor must extend the period of a person's appointment as a deputy Circuit judge (including a period already extended under this subsection) before its expiry; and for this purpose a person appointed to be a deputy Circuit judge on certain occasions is to be treated as having been appointed for a period that expires when the occasions end.
- (5C) Extension under subsection (5B)—
- (a) requires the person's agreement,
 - (b) is to be for such period as the Lord Chancellor thinks fit, and
 - (c) may be refused on—
 - (i) the ground of inability or misbehaviour, or
 - (ii) a ground specified in the person's terms of appointment,
 but only with any agreement of the Lord Chief Justice, or a nominee of the Lord Chief Justice, that may be required by those terms.
- (5D) Subject to the preceding provisions of this section, a person appointed under this section is to hold and vacate office as a deputy Circuit judge in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine.]
- [^{F19}(6) The Lord Chief Justice may nominate a [^{F20}senior judge (as defined in section 109(5))] of the Constitutional Reform Act 2005) to exercise his functions under subsection (1) (a) [^{F21}or (5A)(a)].]^{F19}

Textual Amendments

- F1** S. 24 with subsections (1)–(5) substituted (E.W.) for s. 24 with subsections (1)–(6) by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#) , s. 146
- F2** Words in s. 24 heading omitted (15.7.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#) , s. 61(3) , [Sch. 13 para. 89\(2\)\(e\)](#) ; S.I. 2013/1725 , art. 2(g)
- F3** Word in s. 24(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#) , ss. 15 , 148 , [Sch. 4 para. 71\(2\)\(a\)](#) ; S.I. 2006/1014 , [art. 2\(a\)](#) , Sch. 1 para. 11(e)
- F4** Words in s. 24(1) substituted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#) , s. 61(3) , [Sch. 13 para. 34\(2\)](#) ; S.I. 2013/2200 , [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)
- F5** Words in s. 24(1) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#) , ss. 15 , 146 , 148 , [Sch. 4 para. 71\(2\)\(b\)](#) , [Sch. 18 Pt. 2](#) ; S.I. 2006/1014 , [art. 2\(a\)](#) , Sch. 1 paras. 11(e) , 30(b)
- F6** S. 24(1)(a) substituted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#) , [ss. 55](#) , 148
- F7** Words in s. 24(1)(a) substituted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#) , s. 61(3) , [Sch. 13 para. 34\(3\)](#) ; S.I. 2013/2200 , [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)
- F8** S. 24(1)(b) omitted (15.7.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#) , s. 61(3) , [Sch. 13 para. 89\(1\)](#) ; S.I. 2013/1725 , art. 2(g)

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- F9** S. 24(1A) inserted (31.3.1995) by 1993 c. 8 , s. 26 , **Sch. 6 para. 9(2)** ; S.I. 1995/631 , **art. 2**
- F10** Words in s. 24(1A) inserted (1.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 13 para. 34(4)**; S.I. 2013/2200, art. 3(e) (with savings in S.I. 2013/2192, regs. 48, 49)
- F11** Words in s. 24(1A) omitted (15.7.2013) by virtue of Crime and Courts Act 2013 (c. 22) , s. 61(3) , **Sch. 13 para. 89(2)(a)(i)** ; S.I. 2013/1725 , art. 2(g)
- F12** Words in s. 24(1A) omitted (15.7.2013) by virtue of Crime and Courts Act 2013 (c. 22) , s. 61(3) , **Sch. 13 para. 89(2)(a)(ii)** ; S.I. 2013/1725 , art. 2(g)
- F13** Words in s. 24(2) omitted (15.7.2013) by virtue of Crime and Courts Act 2013 (c. 22) , s. 61(3) , **Sch. 13 para. 89(2)(b)(i)** ; S.I. 2013/1725 , art. 2(g)
- F14** Words in s. 24(2) omitted (15.7.2013) by virtue of Crime and Courts Act 2013 (c. 22) , s. 61(3) , **Sch. 13 para. 89(2)(b)(ii)** ; S.I. 2013/1725 , art. 2(g)
- F15** Words in s. 24(3) omitted (15.7.2013) by virtue of Crime and Courts Act 2013 (c. 22) , s. 61(3) , **Sch. 13 para. 89(2)(c)** ; S.I. 2013/1725 , art. 2(g)
- F16** S. 24(4) repealed (31.3.1995) by 1993 c. 8 , s. 26 , **Sch.9** ; S.I. 1995/631 , **art. 2**
- F17** Words in s. 24(5) omitted (15.7.2013) by virtue of Crime and Courts Act 2013 (c. 22) , s. 61(3) , **Sch. 13 para. 89(2)(d)** ; S.I. 2013/1725 , art. 2(g)
- F18** S. 24(5A)-(5D) inserted (1.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 13 para. 34(5)**; S.I. 2013/2200, art. 3(e) (with savings in S.I. 2013/2192, regs. 48, 49)
- F19** S. 24(6) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4) , ss. 15 , 148 , **Sch. 4 para. 71(3)** ; S.I. 2006/1014 , **art. 2(a)** , Sch. 1 para. 11(e)
- F20** Words in s. 24(6) substituted (1.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 13 para. 34(6)(a)**; S.I. 2013/2200, art. 3(e) (with savings in S.I. 2013/2192, regs. 48, 49)
- F21** Words in s. 24(6) inserted (1.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 13 para. 34(6)(b)**; S.I. 2013/2200, art. 3(e) (with savings in S.I. 2013/2192, regs. 48, 49)

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