

Status: Point in time view as at 31/03/1995.

Changes to legislation: Immigration Act 1971, Part I is up to date with all changes known to be in force on or before 28 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)

SCHEDULES

SCHEDULE 5

THE ADJUDICATORS AND THE TRIBUNAL

Modifications etc. (not altering text)

- C1** Ss. 18-21, 22(1)-(4)(6)(7), 23 and Sch. 5 amended (26.7.1993) by 1993 c. 23, s. 8(6), **Sch. 2 para. 4(2)(a)-(f)**; S.I. 1993/1655, **art.2**
Sch. 5 amended (1.9.1996) by 1996 c. 49, s. 3(4)(f); S.I. 1996/2053, art. 2, **Sch. Pt.II**

PART I

THE ADJUDICATORS

- 1 There shall be such number of adjudicators as the [^{F1}Lord Chancellor] may with the consent of [^{F2}the Treasury] determine, and the [^{F1}Lord Chancellor] shall appoint one of them as chief adjudicator.

Textual Amendments

- F1** Words substituted by S.I. 1987/465, **arts. 2(c), 3(1)(3)**
F2 Words substituted by virtue of S.I.1980/1670, **arts. 2(1)(c)(2), 3(5)**

Modifications etc. (not altering text)

- C1** Sch. 5 paras. 1, 2, 3, 5, 9, 15, 16 by S.I. 1987/465, **arts. 2(c), 3(1)(3)** the functions of the Secretary of State are transferred to the Lord Chancellor

- 2 (1) [^{F3}Subject to the following provisions of this paragraph]An adjudicator shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to hold office, be eligible for re-appointment.
- (2) An adjudicator may at any time by notice in writing to the [^{F4}Lord Chancellor] resign his office.
- [^{F5}(3) An adjudicator shall vacate his office on the day on which he attains the age of seventy, but subject to section 26(4) to (6) of the Judicial Pensions and Retirement Act 1993 (power to authorise continuance in office up to the age of 75).]

Status: Point in time view as at 31/03/1995.

Changes to legislation: Immigration Act 1971, Part I is up to date with all changes known to be in force on or before 28 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)

Textual Amendments

- F3** Words in Sch. 5 Pt I para. 2(1) inserted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para.38**; S.I. 1995/631, **art.2**
- F4** Words substituted by S.I. 1987/465, **arts. 2(c)**, 3(1)(3)
- F5** Sch. 5 Pt I para. 2(3) added (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para.38**; S.I. 1995/631, **art.2**

Modifications etc. (not altering text)

- C2** Sch. 5 paras. 1, 2, 3, 5, 9, 15, 16 by S.I. 1987/465, **arts. 2(c)**, 3(1)(3) the functions of the Secretary of State are transferred to the Lord Chancellor

- 3 ^[F6](1) The ^[F7]Lord Chancellor shall pay—
- (a) to the adjudicators, such remuneration and allowances as he may, with the approval of ^[F8]the Treasury, determine;
 - (b) as regards any of the adjudicators in whose case he may so determine with the approval of ^[F8]the Treasury, such pension, allowance or gratuity to or in respect of him, or such sums towards the provision of such pension, allowance or gratuity, as may be so determined;

and, if a person ceases to be an adjudicator and it appears to the ^[F7]Lord Chancellor that there are special circumstances which make it right that that person should receive compensation, the ^[F7]Lord Chancellor may, with the approval of ^[F8]the Treasury, pay to that person a sum of such amount as the ^[F7]Lord Chancellor may, with the approval of ^[F8]the Treasury, determine.

- ^[F9](2) Sub-paragraph (1)(b) above shall not have effect in relation to a person to whom Part I of the Judicial Pensions and Retirement Act 1993 applies, except to the extent provided by or under that Act.]

Textual Amendments

- F6** Sch. 5, para 3(1) numbered (31.3.1995) by 1993 c. 8, s. 31(3), **Sch. 8 para.9**; S.I. 1995/631, **art.2**
- F7** Words substituted by S.I. 1987/465, **arts. 2(c)**, 3(1)(3)
- F8** Words substituted by virtue of S.I.1980/1670, **arts. 2(1)(c)(2)**, 3(5)
- F9** Sch. 5, para. 3(2) added (31.3.1995) by 1993 c. 8, s. 31(3), **Sch. 8 para.9**; S.I. 1995/631, **art.2**

Modifications etc. (not altering text)

- C3** Sch. 5 paras. 1, 2, 3, 5, 9, 15, 16 by S.I. 1987/465, **arts. 2(c)**, 3(1)(3) the functions of the Secretary of State are transferred to the Lord Chancellor

F10

4

Textual Amendments

- F10** Sch. 5 paras. 4, 10 repealed by House of Commons Disqualification Act 1975 (c. 24), **Sch. 3** and Northern Ireland Assembly Disqualification Act 1975 (c. 25), **Sch. 3 Pt. I**

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

Changes to legislation: Immigration Act 1971, Part I is up to date with all changes known to be in force on or before 28 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)

- 5 The adjudicators shall sit at such times and in such places as the [^{F11}Lord Chancellor] may direct; and the chief adjudicator shall allocate duties among the adjudicators and have such other functions as may be conferred on him by the [^{F11}Lord Chancellor].

Textual Amendments

F11 Words substituted by [S.I. 1987/465](#), **arts. 2(c)**, 3(1)(3)

Modifications etc. (not altering text)

C4 Sch. 5 paras. 1, 2, 3, 5, 9, 15, 16 by [S.I. 1987/465](#), **arts. 2(c)**, 3(1)(3) the functions of the Secretary of State are transferred to the Lord Chancellor

C5 Sch. 5 para. 5 amended (26.7.1993) by 1993 c. 23, s. 8(6), **Sch. 2**, para. 4(4); [S.I. 1993/1655](#), **art.2**
Sch. 5 para. 5 amended (26.7.1996) by 1996 c. 49, **s. 3(5)**; [S.I. 1996/2053](#), art. 2, **Sch. Pt.I**

Status:

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

Changes to legislation:

Immigration Act 1971, Part I is up to date with all changes known to be in force on or before 28 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.