



# Senior Courts Act 1981

## 1981 CHAPTER 54

### PART IV

#### OFFICERS AND OFFICES

##### *Appointment of certain officers of Supreme Court*

#### **91 Deputies and temporary appointments.**

- (1) If it appears to [<sup>F1</sup>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 <sup>F2</sup>. . . of Schedule 2; or
  - (b) to act as a temporary additional officer in any such office, during such period or on such occasions as [<sup>F3</sup>[<sup>F4</sup>the Lord Chancellor may] think fit].
- [<sup>F5</sup>(1ZA) The Lord Chancellor may not appoint a holder of relevant office under subsection (1) without the concurrence of the Lord Chief Justice.
- (1ZB) Section 85 of the Constitutional Reform Act 2005 (selection of certain office holders) does not apply to an appointment to which subsection (1ZA) applies.
- (1ZC) In this section a “holder of relevant office” means a person who holds, or has held within two years ending with the date when his appointment under this section takes effect—
- (a) any office listed in column 1 of Part 2 or 3 of Schedule 2, or
  - (b) the office of district judge.]
- [<sup>F6</sup>(1A) If it appears to the Lord Chancellor that it is expedient to do so in order to facilitate the disposal of business in the Senior Courts, he may appoint a person—
- (a) to act as a deputy for any person holding an office listed in column 1 of Part 3 of Schedule 2; or
  - (b) to act as a temporary additional officer in any such office,

*Status: Point in time view as at 19/07/2007. This version of this provision has been superseded.*

*Changes to legislation: Senior Courts Act 1981, Section 91 is up to date with all changes known to be in force on or before 26 May 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)*

during such period or on such occasions as the Lord Chancellor may think 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.
- [<sup>F7</sup>(3) An appointment under this section may extend until the day on which a person attains the age of seventy-five years if it is an appointment of a holder of relevant office.]
- (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.
- [<sup>F8</sup>(5) . . . . .]
- (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.
- [<sup>F9</sup>(7) 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 [<sup>F10</sup>subsection (1ZA)].]

#### Textual Amendments

- F1** Words in s. 91(1) substituted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 57(2)(a)**, 148(5)
- F2** Words in s. 91(1)(a) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, [Sch. 4 para. 139\(2\)\(b\)](#), **Sch. 18 Pt. 2**; S.I. 2006/1014, **art. 2(a)**, Sch. paras. 11(p), 30(b)
- F3** Words in s. 91(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 139(2)(c)**; S.I. 2006/1014, **art. 2(a)**, Sch. para. 11(p)
- F4** Words in s. 91(1) substituted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 57(2)(b)**, 148(5)
- F5** S. 91(1ZA)-(1ZC) inserted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 57(3)**, 148(5)
- F6** S. 91(1A) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 139(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. para. 11(p)
- F7** S. 91(3) substituted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 57(3)**, 148(5)
- F8** S. 91(5) repealed (31.3.1995) by 1993 c. 8, s. 31, **Sch. 9**; S.I. 1995/631, **art. 2**
- F9** S. 91(7) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 139(4)**; S.I. 2006/1014, **art. 2(a)**, Sch. para. 11(p)
- F10** Words in s. 91(7) substituted (19.7.2007) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), **ss. 57(5)**, 148(5)

#### Modifications etc. (not altering text)

- C1** S. 91(1)(3) restricted (31.3.1995) by 1993 c. 8, **s. 26(7)(f)**, (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art.2**.

**Status:**

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**Changes to legislation:**

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