



# Courts Act 2003

## 2003 CHAPTER 39

### PART 8

#### MISCELLANEOUS

##### *Provisions relating to Northern Ireland*

#### **102 Power to alter judicial titles: Northern Ireland**

- (1) The Lord Chancellor may by order—
- (a) alter the name of any of the offices of the [<sup>F1</sup>Court of Judicature] of Northern Ireland or of the county courts [<sup>F2</sup>or magistrates' courts] in Northern Ireland which are listed in subsection (2);
  - (b) provide for or alter the way in which the holders of any of those offices are to be styled.
- (2) The offices are—
- County court judge
  - Deputy judge of the county court
  - [<sup>F3</sup>Deputy resident magistrate]
  - District Judge
  - Judge of the Court of Appeal
  - Lord Chief Justice
  - Master (Bankruptcy)
  - Master (Care and Protection)
  - Master (Chancery)
  - Master (Enforcement of Judgments)
  - Master (High Court)
  - Master (Probate and Matrimonial)
  - Master (Queen's Bench and Appeals)
  - Master (Taxing Office)

*Status: Point in time view as at 10/01/2020.*

*Changes to legislation: Courts Act 2003, Section 102 is up to date with all changes known to be in force on or before 05 August 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)*

Presiding judge for the county courts

[<sup>F4</sup>Presiding resident magistrate]

Puisne judge of the High Court.

[<sup>F5</sup>Resident magistrate]

- (3) The Lord Chancellor may also by order provide for or alter the way in which deputies or temporary additional officers appointed under section 74(1) of the 1978 Act are to be styled.
- (4) <sup>F6</sup> . . . . .
- (5) An order under this section may make such provision as the Lord Chancellor considers necessary in consequence of any provision made under subsection (1) or (3).
- (6) The provision that may be made under subsection (5) includes provision amending, repealing or revoking any enactment.
- [<sup>F7</sup>(6A) The Lord Chancellor may make an order under this section only with the concurrence of the Lord Chief Justice.
- (6B) The Lord Chief Justice may nominate any of the following to exercise his functions under subsection (6A)—
- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
  - (b) a Lord Justice of Appeal (as defined in section 88 of that Act).]

(7) The power to make an order under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

(8) An order under this section is subject to [<sup>F8</sup>negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954)].

(9) “The 1978 Act” means the Judicature (Northern Ireland) Act 1978 (c. 23).

#### Textual Amendments

- F1** Words in s. 102(1)(a) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 6; S.I. 2009/1604, art. 2\(d\)](#)
- F2** Words in s. 102(1)(a) inserted (1.8.2007) by [Justice and Security \(Northern Ireland\) Act 2007 \(c. 6\), ss. 47\(2\), 53\(4\); S.I. 2007/2045, art. 2\(2\)\(3\)\(o\)](#) (with art. 3)
- F3** Words in s. 102(2) inserted (1.8.2007) by [Justice and Security \(Northern Ireland\) Act 2007 \(c. 6\), ss. 47\(3\)\(a\), 53\(4\); S.I. 2007/2045, art. 2\(2\)\(3\)\(o\)](#) (with art. 3)
- F4** Words in s. 102(2) inserted (1.8.2007) by [Justice and Security \(Northern Ireland\) Act 2007 \(c. 6\), ss. 47\(3\)\(b\), 53\(4\); S.I. 2007/2045, art. 2\(2\)\(3\)\(o\)](#) (with art. 3)
- F5** Words in s. 102(2) inserted (1.8.2007) by [Justice and Security \(Northern Ireland\) Act 2007 \(c. 6\), ss. 47\(3\)\(c\), 53\(4\); S.I. 2007/2045, art. 2\(2\)\(3\)\(o\)](#) (with art. 3)
- F6** S. 102(4) omitted (3.4.2006) by virtue of [Constitutional Reform Act 2005 \(c. 4\), s. 15, Sch. 4 para. 346\(2\); S.I. 2006/1014, art. 2\(a\), Sch. 1 para. 11\(bb\)](#)
- F7** S. 102(6A)(6B) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 15, Sch. 4 para. 346\(3\); S.I. 2006/1014, art. 2\(a\), Sch. 1 para. 11\(bb\)](#)
- F8** Words in s. 102(8) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\), art. 1\(2\), Sch. 18 para. 69\(2\)](#) (with arts. 28-31)

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

- C1** S. 102 transfer of functions (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 17 para. 19(a)** (with arts. 28-31)

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