



# Courts Act 2003

## 2003 CHAPTER 39

### PART 1

#### MAINTAINING THE COURT SYSTEM

##### *Court staff and accommodation*

## **2 Court officers, staff and services**

- (1) The Lord Chancellor may appoint such officers and other staff as appear to him appropriate for the purpose of discharging his general duty in relation to the courts.
- (2) The civil service pension arrangements for the time being in force apply (with any necessary adaptations) to persons appointed under subsection (1) as they apply to other persons employed in the civil service of the State.
- (3) “The civil service pension arrangements” means—
  - (a) the principal civil service pension scheme (within the meaning of section 2 of the Superannuation Act 1972 (c. 11)), and
  - (b) any other superannuation benefits for which provision is made under or by virtue of section 1 of the 1972 Act for or in respect of persons in employment in the civil service of the State.
- (4) Subject to subsections (5) and (6), the Lord Chancellor may enter into such contracts with other persons for the provision, by them or their sub-contractors, of officers, staff or services as appear to him appropriate for the purpose of discharging his general duty in relation to the courts.
- (5) The Lord Chancellor may not enter into contracts for the provision of officers and staff to discharge functions which involve making judicial decisions or exercising any judicial discretion.
- (6) The Lord Chancellor may not enter into contracts for the provision of officers and staff to carry out the administrative work of the courts unless an order made by the Lord Chancellor authorises him to do so.

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*Status: This is the original version (as it was originally enacted).*

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- (7) Before making an order under subsection (6) the Lord Chancellor must consult—
- (a) the Lord Chief Justice,
  - (b) the Master of the Rolls,
  - (c) the President of the Family Division, and
  - (d) the Vice-Chancellor,
- as to what effect (if any) the order might have on the proper and efficient administration of justice.
- (8) An order under subsection (6) may authorise the Lord Chancellor to enter into contracts for the provision of officers or staff to discharge functions—
- (a) wholly or to the extent specified in the order,
  - (b) generally or in cases or areas specified in the order, and
  - (c) unconditionally or subject to the fulfilment of conditions specified in the order.