

Status: Point in time view as at 04/09/2013.

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Paragraph 6 is up to date with all changes known to be in force on or before 09 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 2

JUDGES AND OTHER MEMBERS OF THE FIRST-TIER TRIBUNAL

Certain judges neither appointed under paragraph 1(1) nor transferred in

- 6 (1) In this paragraph “judge by request of the First-tier Tribunal” means a person who is a judge of the First-tier Tribunal but who—
- (a) is not the Senior President of Tribunals,
 - (b) is not a judge of the First-tier Tribunal appointed under paragraph 1(1),
 - (c) is not a transferred-in judge of the First-tier Tribunal,
 - (d) is not a Chamber President, or Acting Chamber President or Deputy Chamber President, of a chamber of the First-tier Tribunal,
 - (e) is not a judge of the First-tier Tribunal by virtue of section 4(1)(e) (chairman of employment tribunal),
 - (f) ^{F1} . . . and
 - (g) is not a judge of the First-tier tribunal by virtue of section 4(2) (criminal injuries compensation adjudicator appointed by the Scottish Ministers).
- (2) A judge by request of the First-tier Tribunal may act as a judge of the First-tier Tribunal only if requested to do so by the Senior President of Tribunals.
- (3) Such a request made to a person who is a judge of the First-tier Tribunal by virtue of the combination of sections 4(1)(c) and 5(1)(g) may be made only with—
- (a) the concurrence of the Lord Chief Justice of England and Wales where the person is—
 - (i) an ordinary judge of the Court of Appeal in England and Wales,
 - (ii) a puisne judge of the High Court in England and Wales,
 - (iii) a circuit judge,
 - (iv) a district judge in England and Wales, or
 - (v) a District Judge (Magistrates' Courts);
 - (b) the concurrence of the Lord President of the Court of Session where the person is—
 - (i) a judge of the Court of Session, or
 - (ii) a sheriff;
 - (c) the concurrence of the Lord Chief Justice of Northern Ireland where the person is—
 - (i) a Lord Justice of Appeal in Northern Ireland,
 - (ii) a puisne judge of the High Court in Northern Ireland,
 - (iii) a county court judge in Northern Ireland, or
 - (iv) a district judge in Northern Ireland.
- (4) Sub-paragraph (5) applies—

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- (a) to a judge by request of the First-tier Tribunal,^[F2] and]
 - (b) to a person who is a judge of the First-tier Tribunal by virtue of section 4(1)
 - (e) (chairman of employment tribunal),^{F3} . . .
 - (c) ^{F3}
- (5) The Lord Chancellor may pay to a person to whom this sub-paragraph applies such amounts (if any) as the Lord Chancellor may determine by way of—
- (a) remuneration;
 - (b) allowances;
 - (c) expenses.

Textual Amendments

- F1** Words in Sch. 2 para. 6(1)(f) omitted (15.2.2010) by virtue of [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), **Sch. 1 para. 45(a)(i)** (with Sch. 4)
- F2** Word in Sch. 2 para. 4(a) inserted (15.2.2010) by [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), **Sch. 1 para. 45(a)(ii)(aa)** (with Sch. 4)
- F3** Sch. 2 para. 4(c) and word omitted (15.2.2010) by virtue of [The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010 \(S.I. 2010/21\)](#), **Sch. 1 para. 45(a)(ii)(bb)** (with Sch. 4)

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