Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Deputy judges of the High Court. (See end of Document for details)

### SCHEDULES

SCHEDULE 14 U.K.

### DEPLOYMENT OF THE JUDICIARY

## PART 1 U.K.

### DEPLOYMENT UNDER SECTION 9 OF THE SENIOR COURTS ACT 1981

## Deputy judges of the High Court

- 2 (1) Section 9 of the Senior Courts Act 1981 (which includes provision about the appointment of deputy judges of the High Court) is amended as follows.
  - (2) In subsection (4) (power of Lord Chief Justice to appoint deputy judges to facilitate disposal of business in the High Court or Crown Court) after "Crown Court" insert " or any other court or tribunal to which persons appointed under this subsection may be deployed".
  - (3) After subsection (8) (remuneration) insert—
    - "(8A) A person may be removed from office as a deputy judge of the High Court—
      - (a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and
      - (b) only on—
        - (i) the ground of inability or misbehaviour, or
        - (ii) a ground specified in the person's terms of appointment.
    - (8B) Subject to the preceding provisions of this section, a person appointed under subsection (4) is to hold and vacate office as a deputy judge of the High Court in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine."
  - (4) In subsection (9) (Lord Chief Justice's power to delegate functions under subsection (4))—
    - (a) for "judicial office holder (as defined in section 109(4)" substitute "senior judge (as defined in section 109(5)", and
    - (b) for "his functions under subsection (4)" substitute "functions of the Lord Chief Justice under this section".
  - (5) In the title omit the words after "business".

### **Commencement Information**

II Sch. 14 para. 2 in force at 1.10.2013 by S.I. 2013/2200, art. 3(g)

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3 (1) In Table 2 of Part 2 of Schedule 14 to the Constitutional Reform Act 2005 (Judicial Appointments Commission: offices to which appointment made by Lord Chief Justice) before the first entry insert—

"Deputy judge of the High Court

Section 9(4) of the Senior Courts Act 1981"

- (2) If the provisions in Schedule 13 to this Act that split the table in Part 2 of Schedule 14 to the 2005 Act into two tables do not come into force before or at the time when sub-paragraph (1) comes into force—
  - (a) sub-paragraph (1) has effect with the omission of "Table 2 of", and
  - (b) paragraph 41 of Schedule 13 has effect—
    - (i) as if a reference to the office of deputy judge of the High Court were inserted at the beginning of the list in sub-paragraph (4) of that paragraph, and
    - (ii) as if "second" were substituted for "first" in sub-paragraph (5) of that paragraph.
- (3) After section 94A of the 2005 Act (appointments not subject to section 85: courts) insert—

## "94AA Appointments not subject to section 85: High Court deputy judge

- (1) Where this section applies to an appointment, section 85 does not apply.
- (2) This section applies to the appointment of a person as a deputy judge of the High Court if it appears to the Lord Chief Justice, after consulting the Lord Chancellor, that—
  - (a) there is an urgent need to take steps in order to facilitate the disposal of particular business in the High Court or Crown Court,
  - (b) it is expedient as a temporary measure to make the appointment in order to facilitate the disposal of the business, and
  - (c) there are no other reasonable steps that it is practicable to take within the time available in order to facilitate the disposal of the business.
- (3) An appointment to which this section applies is to be made—
  - (a) so as not to extend beyond the day on which the particular business concerned is concluded, or
  - (b) so as not to extend beyond the later of—
    - (i) the day on which the business is concluded, or
    - (ii) the day expected when the appointment is made to be the day on which the business is concluded."
- (4) In section 85(2A)(d) and (4) of the 2005 Act after "94A" insert ", 94AA".

#### **Commencement Information**

I2 Sch. 14 para. 3 in force at 1.10.2013 by S.I. 2013/2200, art. 3(g)

# **Changes to legislation:**

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