



Administration of Justice (Scotland) Act 1933

1933 CHAPTER 41

PART III

OFFICERS OF THE HIGH COURT OF JUSTICIARY AND OF THE COURT OF SESSION

29 Existing officers

- (1) Any clerk or officer in the High Court of Justiciary or the Court of Session (not being clerk to a judge), holding office at the passing of this Act, and any person holding, at the passing of this Act, any office mentioned in section twenty-five of this Act, shall be deemed to have been appointed in pursuance of the powers vested in the Secretary of State by this Part of this Act, provided that any such clerk, officer or person shall be in no worse position as regards tenure of office, remuneration or superannuation allowance than he would have been if this Act had not passed.
- (2) It shall be lawful for the Secretary of State, after consultation with the Lord President, to direct that any person holding office as clerk to a judge who was appointed clerk to that judge prior to the passing of this Act shall be deemed to have been appointed, in pursuance of the powers vested in the Secretary of State by this Part of this Act, provided that no such direction shall be given without the consent of such person and of such judge. Any such person in whose case such a direction is given shall on his retirement from his employment be entitled, in addition to any superannuation allowance or gratuity payable under the Superannuation Acts, 1834 to 1919, to such annuity in respect of his service as clerk to the judge as he would have been entitled to if such judge had retired immediately before the date when the direction aforesaid was given; and any such person, in whose case no such direction is given, shall continue to hold his office on the terms on which he held it at the passing of this Act.