



County Courts Act (Northern Ireland) 1959

1959 CHAPTER 25

PART XI

JUDGES AND DEPUTY JUDGES

[^{F1}107 Deputy judges.

- (1) The [^{F2}Northern Ireland Judicial Appointments Commission] may appoint as deputy judge [^{F3} a person who is—
 - (a) a member of the Bar of Northern Ireland of at least ten years' standing; or
 - (b) a solicitor of the [^{F4}Court of Judicature] of at least ten years' standing.]
- [^{F5}(1A) The term for which a person is appointed as a deputy judge is to be determined by the Commission with the agreement of the [^{F6}Department of Justice].]
- (2) The appointment of a person as a deputy judge shall specify the term for which he is appointed [^{F7}as determined under subsection (1A)].
- [^{F8}(3) Subject to subsection (4), the Commission may, with the agreement of a deputy judge and the [^{F9}Department of Justice], from time to time extend, for such period as it thinks appropriate, the term for which the deputy judge is appointed.]
- [^{F10}(4) Neither the initial term for which a deputy judge is appointed nor any extension of that term under subsection (3) shall be such as to continue his appointment as a deputy judge after the day on which he attains the age of [^{F11}75]]
- (5) A deputy judge shall, while he is so acting, have the like authority, jurisdiction, powers and privileges as a judge in all respects [^{F12} and a reference in any statutory provision to, or which is to be construed as a reference to, a county court judge shall, for the purposes of or in relation to any proceedings in a county court, be construed as including a reference to a deputy judge appointed under this section].

Changes to legislation: There are currently no known outstanding effects for the County Courts Act (Northern Ireland) 1959, Section 107. (See end of Document for details)

- (6) Where the hearing of any proceedings duly commenced before any deputy judge is adjourned or judgment is reserved therein, that deputy judge shall, notwithstanding anything in sub-section (2) or (4), have power to resume the hearing and determine the proceedings or, as the case may be, to deliver the judgment so reserved.
- (7) [^{F13}The Department of Justice shall pay] to every deputy judge, except a resident magistrate, such remuneration and allowances as the Lord Chancellor may, with the concurrence of [^{F14}the Treasury], determine.]

- F1** 1978 c. 23
- F2** Words in s. 107(1) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 3(2)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F3** 2002 c. 26
- F4** Words in s. 107(1)(b) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 6; S.I. 2009/1604, **art. 2**
- F5** S. 107(1A) inserted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 3(3)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F6** Words in s. 107(1A) substituted (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), ss. 1(5), 3(2), **Sch. para. 2**; S.R. 2010/147, **art. 2(2)**
- F7** Words in s. 107(2) inserted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 3(4)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F8** S. 107(3) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), ss. 2(3), 5(7)(a), **Sch. 4 para. 3(5)** (with Sch. 5 para. 16); S.I. 2010/812, **art. 2**
- F9** Words in s. 107(3) substituted (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), ss. 1(5), 3(2), **Sch. para. 2**; S.R. 2010/147, **art. 2(2)**
- F10** 1993 c. 8
- F11** Word in s. 107(4) substituted (10.3.2022) by Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 6(3)** (with Sch. 1 para. 43)
- F12** 1980 NI 3
- F13** Words in s. 107(7) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), **Sch. 18 para. 105** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F14** 1991 NI 24

Changes to legislation:

There are currently no known outstanding effects for the County Courts Act (Northern Ireland) 1959, Section 107.