



# Supreme Court Act 1981

## 1981 CHAPTER 54

### PART I

#### CONSTITUTION OF SUPREME COURT

##### *Other provisions*

#### **9 Assistance for transaction of judicial business of Supreme Court**

- (1) A person within any entry in column 1 of the following Table may at any time, at the request of the appropriate authority, act—(a) as a judge of a relevant court specified in the request; or
- (b) if the request relates to a particular division of a relevant court so specified, as a judge of that court in that division.

TABLE

1	2
<i>Judge or ex-judge</i>	<i>Where competent to act on request</i>
1. A judge of the Court of Appeal.	The High Court and the Crown Court.
2. A person who has been a judge of the Court of Appeal.	The Court of Appeal, the High Court and the Crown Court.
3. A puisne judge of the High Court.	The Court of Appeal.
4. A person who has been a puisne judge of the High Court.	The Court of Appeal, the High Court and the Crown Court.
5. A Circuit judge.	The High Court.

- (2) In subsection (1)—  
" the appropriate authority "—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in the case of a request to a judge of the High Court to act in the criminal division of the Court of Appeal as a judge of that court, means the Lord Chief Justice or, at any time when the Lord Chief Justice is unable to make such a request himself or there is a vacancy in the office of Lord Chief Justice, the Master of the Rolls ;
  - (b) in any other case means the Lord Chancellor ;
- " relevant court", in the case of a person within any entry in column 1 of the Table, means a court specified in relation to that entry in column 2 of the Table.
- (3) In the case of—
- (a) a request under subsection (1) to a Lord Justice of Appeal to act in the High Court; or
  - (b) any request under that subsection to a puisne judge of the High Court or a Circuit judge,
- it shall be the duty of the person to whom the request is made to comply with it.
- (4) Without prejudice to section 24 of the Courts Act 1971 (temporary appointment of deputy Circuit judges and assistant Recorders), if it appears to the Lord Chancellor that it is expedient as a temporary measure to make an appointment under this subsection in order to facilitate the disposal of business in the High Court or the Crown Court, he may appoint a person qualified for appointment as a puisne judge of the High Court to be a deputy judge of the High Court during such period or on such occasions as the Lord Chancellor thinks fit; and during the period or on the occasions for which a person is appointed as a deputy judge under this subsection, he may act as a puisne judge of the High Court.
- (5) Every person while acting under this section shall, subject to subsection (6), be treated for all purposes as, and accordingly may perform any of the functions of, a judge of the court in which he is acting.
- (6) A person shall not by virtue of subsection (5)—
- (a) be treated as a judge of the court in which he is acting for the purposes of section 98(2) or of any statutory provision relating to—
    - (i) the appointment, retirement, removal or disqualification of judges of that court;
    - (ii) the tenure of office and oaths to be taken by such judges ; or
    - (iii) the remuneration, allowances or pensions of such judges; or
  - (b) subject to subsection (7), be treated as having been a judge of a court in which he has acted only under this section.
- (7) Notwithstanding the expiry of any period for which a person is authorised by virtue of subsection (1) or (4) to act as a judge of a particular court—
- (a) he may attend at that court for the purpose of continuing to deal with, giving judgment in, or dealing with any ancillary matter relating to, any case begun before him while acting as a judge of that court; and
  - (b) for that purpose, and for the purpose of any proceedings arising out of any such case or matter, he shall be treated as being or, as the case may be, having been a judge of that court.
- (8) Such remuneration and allowances as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine may be paid out of money provided by Parliament—

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

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- (a) to any person who has been—
  - (i) a Lord of Appeal in Ordinary ; or
  - (ii) a judge of the Court of Appeal; or
  - (iii) a judge of the High Court,and is by virtue of subsection (1) acting as mentioned in that subsection;
- (b) to any deputy judge of the High Court appointed under subsection (4).