
Changes to legislation: Public Service Pensions and Judicial Offices Act 2022, SCHEDULE 4 is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

SCHEDULES

SCHEDULE 4

Section 128

CONSEQUENTIAL ETC AMENDMENTS IN CONNECTION WITH PART 3

PART 1

AMENDMENTS OF PRIMARY LEGISLATION

Courts-Martial Appeals Act 1951 (c. 46)

- 1 In section 30 of the Courts-Martial Appeals Act 1951 (assistants to judge advocate general), omit subsections (3) to (5).

Commencement Information

- I1** Sch. 4 para. 1 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I2 [Sch. 4 para. 1](#) in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014](#), [reg. 2\(d\)](#) (with [reg. 3](#))

Administration of Justice Act 1970 (c. 31)

- 2 (1) In section 10 of the Administration of Justice Act 1970 (temporary additional judges), omit subsection (1A)(b).
(2) Sub-paragraph (1) is repealed on the coming into force of the repeal of section 10 of the Administration of Justice Act 1970 under Part 6 of Schedule 23 to the Tribunals, Courts and Enforcement Act 2007.

Commencement Information

- I3** Sch. 4 para. 2 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I4 [Sch. 4 para. 2](#) in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014](#), [reg. 2\(d\)](#) (with [reg. 3](#))

Courts Act 1971 (c. 23)

- 3 In the Courts Act 1971, omit section 24 (deputy circuit judges).

Commencement Information

- I5** Sch. 4 para. 3 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I6 [Sch. 4 para. 3](#) in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014](#), [reg. 2\(d\)](#) (with [reg. 3](#))

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Judicature (Northern Ireland) Act 1978 (c. 23)

- 4 In section 7 of the Judicature (Northern Ireland) Act 1978 (further assistance for transaction of judicial business), omit subsection (1)(b) and the word “or” preceding it.

Commencement Information

- I7** Sch. 4 para. 4 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I8 [Sch. 4 para. 4](#) in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014, reg. 2\(d\)](#) (with [reg. 3](#))

Senior Courts Act 1981 (c. 54)

- 5 (1) The Senior Courts Act 1981 is amended as follows.
- (2) In section 9 (assistance for transaction of judicial business)—
- (a) in subsection (1), in the table—
 - (i) in the heading to column 1 omit “or ex-judge”;
 - (ii) omit rows 2 and 4;
 - (b) in subsection (2B), omit the words from the beginning to “Table,”;
 - (c) omit subsection (2C);
 - (d) in subsection (3), omit paragraphs (a) and (b);
 - (e) omit subsection (8)(a).
- (3) In section 91 (deputies and temporary appointments)—
- (a) in subsection (1ZC), omit the words from “, or”, the first time it occurs, to “effect”;
 - (b) in subsection (2), omit the words from the beginning to “(3),”;
 - (c) omit subsection (3).
- (4) In section 92 (tenure of office of certain officers of Senior Courts), in subsection (1), omit “and to section 91(3)”.
- (5) In section 102 (deputy district judges), omit subsections (1B), (1C) and (3).

Commencement Information

- I9** Sch. 4 para. 5 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I10 [Sch. 4 para. 5](#) in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014, reg. 2\(d\)](#) (with [reg. 3](#))

County Courts Act 1984 (c. 28)

- 6 (1) The County Courts Act 1984 is amended as follows.
- (2) In section 5 (judges of the county court), in subsection (1), omit the words after paragraph (c).
- (3) In section 8 (deputy district judges), omit subsections (1ZB) and (1ZC).

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Commencement Information

- I11** Sch. 4 para. 6 in force at Royal Assent for specified purposes, see **s. 131(1)**
I12 Sch. 4 para. 6 in force at 1.10.2022 in so far as not already in force by S.I. 2022/1014, **reg. 2(d)** (with **reg. 3**)

Matrimonial and Family Proceedings Act 1984 (c. 42)

- 7 In section 31C of the Matrimonial and Family Proceedings Act 1984 (judges), in subsection (1), omit the words after paragraph (y).

Commencement Information

- I13** Sch. 4 para. 7 in force at Royal Assent for specified purposes, see **s. 131(1)**
I14 Sch. 4 para. 7 in force at 1.10.2022 in so far as not already in force by S.I. 2022/1014, **reg. 2(d)** (with **reg. 3**)

Judicial Pensions and Retirement Act 1993 (c. 8)

- 8 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) In section 26(7) (retirement date for holders of certain judicial offices etc), omit paragraphs (d), (f), (g) and (ga).
- (3) In Schedule 5 (retirement provisions: the relevant offices)—
- (a) in the entry for deputy or temporary master, Queen’s Bench Division, omit the words from “otherwise” to “section”;
 - (b) in the entry for deputy or temporary admiralty registrar, omit the words from “otherwise” to “section”;
 - (c) in the entry for deputy or temporary master, Chancery Division, omit the words from “otherwise” to “section”;
 - (d) in the entry for deputy or temporary insolvency and companies court judge, omit the words from “otherwise” to “section”;
 - (e) in the entry for deputy or temporary taxing master of the Senior Courts, omit the words from “otherwise” to “section”;
 - (f) in the entry for deputy or temporary district judge of the principal registry of the Family Division, omit the words from “otherwise” to “section”;
 - (g) in the entry for deputy or temporary registrar of civil appeals, omit the words from “otherwise” to “section”;
 - (h) in the entry for deputy district judge appointed under section 102 of the Senior Courts Act 1981, omit the words from “, except” to the end;
 - (i) in the entry for deputy district judge appointed under section 8 of the County Courts Act 1984, omit the words from “, except” to the end;
 - (j) at the end, after the insertions made by Schedule 1, insert—
““Sitting in retirement office under section 123 of the Public Service Pensions and Judicial Offices Act 2022””.

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- I15** Sch. 4 para. 8 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I16 Sch. 4 para. 8 in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014, reg. 2\(d\)](#) (with [reg. 3](#))

Employment Tribunals Act 1996 (c. 17)

- 9 In section 24 of the Employment Tribunals Act 1996 (temporary additional judicial membership), in subsection (2), omit the words from the first “or” to the end.

Commencement Information

- I17** Sch. 4 para. 9 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I18 Sch. 4 para. 9 in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014, reg. 2\(d\)](#) (with [reg. 3](#))

Courts Act 2003 (c. 39)

- 10 (1) Section 64 of the Courts Act 2003 (power to alter judicial titles) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) The Lord Chancellor may by order—
- (a) alter the name of a relevant office;
- (b) provide for or alter the way in which a relevant office is to be styled.
- (2B) In subsection (2A) “a relevant office” is a sitting in retirement office under section 123 of the Public Service Pensions and Judicial Offices Act 2022 for which the corresponding original office is listed in Part 1 of Schedule 3 to that Act.”
- (3) In subsection (5), after “(1)” insert “, (2A)”.

Commencement Information

- I19** Sch. 4 para. 10 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
I20 Sch. 4 para. 10 in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014, reg. 2\(d\)](#) (with [reg. 3](#))

Constitutional Reform Act 2005 (c. 4)

- 11 (1) The Constitutional Reform Act 2005 is amended as follows.
- (2) In section 85 (selection of puisne judges and other office holders)—
- (a) in subsection (2A)—
- (i) omit paragraphs (a) and (c);
- (ii) in paragraph (b), for “sections 91(1ZB) and 102(1C)” substitute “section 91(1ZB)”;
- (iii) for paragraph (d) substitute—

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- “(d) section 94AA below.”;
- (b) in subsection (4)—
- (i) omit “94A,”;
 - (ii) omit “or 94B”.
- (3) Omit section 94A (appointments not subject to section 85: courts).
- (4) Omit section 94B (appointments not subject to section 85: tribunals).
- (5) In section 97 (Scotland and Northern Ireland)—
- (a) in subsection (1), omit paragraph (ca);
 - (b) in subsection (4), omit “94A(1) or”;
 - (c) omit subsections (5) and (6).
- (6) In Schedule 7 (protected functions of the Lord Chancellor), in Part A of paragraph 4—
- (a) in the entry for the Courts Act 1971, omit “section 24”;
 - (b) at the end insert—
“Public Service Pensions and Judicial Offices Act 2022
Section 124(3) and (4)
Section 127”.

Commencement Information

- I21** Sch. 4 para. 11 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
- I22** Sch. 4 para. 11 in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014](#), [reg. 2\(d\)](#) (with [reg. 3](#))

PART 2

AMENDMENTS OF SECONDARY LEGISLATION

Access to Justice Act 1999 (Destination of Appeals) Order 2016 (S.I. 2016/917)

- 12 In the Access to Justice Act 1999 (Destination of Appeals) Order 2016 (appeals from the county court), omit article 5(1)(b).

Commencement Information

- I23** Sch. 4 para. 12 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
- I24** Sch. 4 para. 12 in force at 1.10.2022 in so far as not already in force by [S.I. 2022/1014](#), [reg. 2\(d\)](#) (with [reg. 3](#))

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PART 3

REPEAL OF SPENT PROVISIONS

Judicial Pensions and Retirement Act 1993 (c. 8)

- 13 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) Omit section 26(11).
- (3) In Schedule 7 (retirement dates: transitional provisions), omit paragraph 1(2).

Commencement Information

- I25** Sch. 4 para. 13 in force at Royal Assent for specified purposes, see **s. 131(1)**
- I26** Sch. 4 para. 13 in force at 1.10.2022 in so far as not already in force by S.I. 2022/1014, **reg. 2(d)** (with reg. 3)

Tribunals, Courts and Enforcement Act 2007 (c. 15)

- 14 (1) The Tribunals, Courts and Enforcement Act 2007 is amended as follows.
- (2) In section 53 (transfer from salaried to fee-paid judicial office), omit subsections (2) and (6)(b).
- (3) Omit section 58 (appointment of temporary assistants to Judge Advocate General).

Commencement Information

- I27** Sch. 4 para. 14 in force at Royal Assent for specified purposes, see **s. 131(1)**
- I28** Sch. 4 para. 14 in force at 1.10.2022 in so far as not already in force by S.I. 2022/1014, **reg. 2(d)** (with reg. 3)

Crime and Courts Act 2013 (c. 22)

- 15 In Schedule 13 to the Crime and Courts Act 2013 (judicial appointments), omit paragraphs 40 and 48.

Commencement Information

- I29** Sch. 4 para. 15 in force at Royal Assent for specified purposes, see **s. 131(1)**
- I30** Sch. 4 para. 15 in force at 1.10.2022 in so far as not already in force by S.I. 2022/1014, **reg. 2(d)** (with reg. 3)

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Changes and effects yet to be applied to :

- Sch. 4 para. 2(1) repealed by [2022 c. 7 Sch. 4 para. 2\(2\)](#) (This amendment comes into force when the repeal of 1970 c. 31, s. 10 by 2007 c. 15, Sch. 23 Pt. 6 comes into force)