CHAPTER 12

Judicial Offices (Salaries, &c.) Act, 1952

ARRANGEMENT OF SECTIONS

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SCHEDULE—Enactments repealed.

An Act to make further provision as to the sums payable by way of salary, pension or allowances in respect of certain judicial offices. [13th March 1952.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

England and Wales

County court judges, stipendiary magistrates and chairmen of London quarter sessions (salaries).

1.—(1) There shall be paid—

(*a*) to every county court judge a salary of two thousand eight hundred pounds a year, instead of the salary of two thousand pounds a year now payable;

(*b*) to the chief of the metropolitan police magistrates a salary of two thousand eight hundred pounds a year, instead of the salary of two thousand three hundred pounds a year now payable;

(*c*) to every metropolitan police magistrate (other than the chief of them) a salary of two thousand five hundred pounds a year, instead of the salary of two thousand pounds a year now payable.

(2) The salary payable under this section to a county court judge or metropolitan police magistrate shall—

(*a*) be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof; and

(*b*) begin from the date of his appointment (subject to the next following subsection), and accrue due from day to day; and

(*c*) be payable at such intervals not exceeding three months as the Treasury think fit.

(3) The foregoing provisions of this section shall have effect as from the first day of July, nineteen hundred and fifty-one, (the salary under this section of a judge or magistrate who held office on that day beginning from that day instead of from the date of his appointment); and any judge or magistrate who held office on that day, or was appointed after that day and before the commencement of this Act, shall be deemed for the purpose of any enactment relating to superannuation, to have received his salary under this section from that day or from the date of his appointment, whichever is the later.

(4) A direction of the Secretary of State under section thirty-two of the Justices of the Peace Act, 1949, about the salary to be paid to a stipendiary magistrate other than a metropolitan police magistrate—

(*a*) may have retrospective effect, and may apply to the salary of a magistrate who has died or ceased to hold the office before the giving of the direction; and

(*b*) may direct the payment, for any period for which the salary payable to a metropolitan police magistrate other than the chief magistrate has been retrospectively increased, of a salary of an amount up to that of the increased salary so payable;

and any magistrate about whose salary a direction under the said section thirty-two has retrospective effect shall be deemed for the purpose of any enactment relating to superannuation to have received the salary specified in the direction from the day from which the direction has such effect in his case.

(5) The salary payable to any paid chairman or deputy chairman of the quarter sessions for the county of London under section forty-two of the Local Government Act, 1888, may at any time be increased by resolution of the county council, approved by the Lord Chancellor, and any such resolution may have retrospective effect, and may apply to the salary of a chairman or deputy chairman who has died or ceased to hold the office before the passing of the resolution; and any chairman or deputy chairman about whose salary such a resolution has retrospective effect shall be deemed for the purpose of any enactment relating to superannuation to have received the salary specified in the resolution from the day from which the resolution has such effect in his case.

(6) A direction of the Secretary of State or resolution of the London county council may by virtue of subsection (4) or subsection (5) of this section have retrospective effect from a day before the commencement of this Act, but not before the first day of July, nineteen hundred and fifty-one, and may apply to the salary of a person dying or ceasing to hold office before the commencement of this Act.

Scotland

Lords Commissioners of Justiciary (circuit allowances).

2.—(1) The Lords Commissioners of Justiciary in Scotland shall be entitled to receive, in addition to their salaries, such allowances for circuit court expenses as the Secretary of State may from time to time, with the concurrence of the Treasury, determine.

(2) The allowances payable under the foregoing subsection shall be paid out of moneys provided by Parliament.

Sheriffs-substitute (travelling allowances).

3.—(1) There may be paid to a salaried sheriff-substitute in addition to his salary such sum as the Secretary of State in each case, with the concurrence of the Treasury, may determine in respect of the travelling expenses incurred by the sheriff-substitute in the discharge of the duties of his office.

(2) The sums payable under the foregoing subsection shall be paid out of moneys provided by Parliament.

Northern Ireland

Judges of Supreme Court of Northern Ireland (salaries and circuit allowances).

4.—(1) As from the first day of July, nineteen hundred and fifty-one, the amount of the salary payable under section eighteen of the Supreme Court of Judicature Act (Ireland), 1877, to each of the judges of the High Court of Justice in Northern Ireland, other than the Lord Chief Justice of Northern Ireland, shall be

three thousand five hundred pounds a year (including any pension to which the judge may be entitled in respect of any public office previously filled by him), instead of three thousand pounds a year.

(2) The Lord Chief Justice of Northern Ireland shall, on going circuit as a judge, be entitled under section eighteen of the said Act of 1877, to the like allowance in addition to his salary as any other judge of the High Court of Justice in Northern Ireland.

General

Judges of Supreme Court, of Court of Session and of Supreme Court of Northern Ireland (pensions).

5.—(1) For the purpose of making a person eligible for a pension—

(*a*) as a judge of the Supreme Court under section fourteen of the Supreme Court of Judicature (Consolidation) Act, 1925; or

(*b*) as a judge of the Court of Session under section one of the Judges' Pensions (Scotland) Act, 1808; or

(*c*) as a judge of the Supreme Court of Northern Ireland under section nineteen of the Supreme Court of Judicature Act (Ireland), 1877;

any previous service of that person in the office of a Lord of Appeal in Ordinary (including service before the commencement of this Act) shall be deemed equivalent to service in his office as judge.

(2) The Administration of Justice (Pensions) Act, 1950, shall have effect as if in the First Schedule thereto (which sets out the persons affected by the provisions of that Act relating to lump sums and widows' and children's pensions, and specifies in the second column the service which is to be treated as relevant service in relation to those persons), in the entries relating to a judge of the Supreme Court, to a judge of the Court of Session and to a judge of the Supreme Court of Northern Ireland, there were in each case inserted, after the word "Service" in the second column, the words "as a Lord of Appeal in Ordinary or".

Short title and repeal.

6.—(1) This Act may be cited as the Judicial Offices (Salaries, &c.) Act, 1952.

(2) The enactments specified in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Section 6.

SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
38 & 39 Vict. c. 3.	The Metropolitan Police Magistrates Act, 1875.	The whole Act.
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ireland), 1877.	In section eighteen the words from "The Chiefs of the Divisions" to "Every other Judge" except the words "Every Judge".
50 & 51 Vict. c. 35.	The Criminal Procedure (Scotland) Act, 1887.	In section forty-five, the words from "provided always" to the end of the section.
16 & 17 Geo. 5. c. 44.	The Supreme Court of Judicature of Northern Ireland Act, 1926.	In subsection (1) of section one the words from "To each of the other judges" onwards.
24 & 25 Geo. 5. c. 53.	The County Courts Act, 1934.	Subsections (1) and (2) of section eight.
1 Edw. 8. and 1 Geo. 6. c. 35.	The Statutory Salaries Act, 1937.	In the First Schedule the entry relating to a county court judge and both the entries relating to metropolitan police magistrates; in the Second Schedule the entries relating to the Metropolitan Police Magistrates Act, 1875, and to the County Courts Act, 1934.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Judges' Pensions (Scotland) Act, 1808 ...	48 Geo. 3. c. 145.
Supreme Court of Judicature Act (Ireland) 1877	40 & 41 Vict. c. 57.
Local Government Act, 1888	51 & 52 Vict. c. 41.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.
Administration of Justice (Pensions) Act, 1950	14 & 15 Geo. 6. c. 11.