STATUTORY INSTRUMENTS

2022 No. 798

JUDICIAL APPOINTMENTS AND DISCIPLINE

The Judicial Offices (Sitting in Retirement - Prescribed Offices and Descriptions) Regulations 2022

Made - - - -	*12th July 2022*
Laid before Parliament	*14th July 2022*
Coming into force - -	*1st October 2022*

The Lord Chancellor, with the concurrence of the Lord Chief Justice, the Senior President of Tribunals, the Lady Chief Justice of Northern Ireland and the Lord President of the Court of Session, makes the following Regulations in exercise of the powers conferred by section 124(3) and (4)(a), (b), (c) and (f), and section 129(1)(b) of the Public Service Pensions and Judicial Offices Act 2022(**a**).

Citation and commencement

1. These Regulations may be cited as the Judicial Offices (Sitting in Retirement - Prescribed Offices and Descriptions) Regulations 2022 and come into force on 1st October 2022.

Interpretation

2. In these Regulations "the Act" means the Public Service Pensions and Judicial Offices Act 2022

Offices prescribed in relation to an appointment to a sitting in retirement office

3.—(1) A person who holds or has held an office listed in column 2 of the Tables in Schedule 1 (a "prescribed office") is eligible for appointment to the sitting in retirement office listed in the corresponding row of column 1.

(2) Paragraph (1) is subject to regulation 4.

4.—(1) In relation to an appointment to the sitting in retirement office referred to in column 1 at row 20 of Table 1 in Schedule 1, an eligible person ("P") who holds or has held the prescribed office of Supreme Court Justice must satisfy the following further description:

(a) P must have held a judicial office in the Court of Appeal in England and Wales or the High Court in England and Wales for a period of at least two years; or

(b) P must have satisfied the judicial-appointment eligibility condition on a 15-year basis.

(**a**) 2022 c. 7.

(2) In relation to an appointment to the sitting in retirement office referred to in column 1 at row 14 of Table 3 in Schedule 1, an eligible person ("P") who holds or has held the prescribed office of Supreme Court Justice must satisfy the following further description:

(a) P must have held a judicial office in the Court of Appeal in Northern Ireland or the High Court in Northern Ireland for a period of at least two years; or

(b) P must have been a qualifying practitioner as a member of the Bar of Northern Ireland or a solicitor of the Court of Judicature of Northern Ireland for a period of at least 15 years.

Dominic Raab
Lord Chancellor

12th July 2022

Burnett of Maldon
Lord Chief Justice

12th July 2022

Keith Lindblom
Senior President of Tribunals

12th July 2022

Siobhan Keegan
Lady Chief Justice of Northern Ireland

12th July 2022

CJM Sutherland
Lord President of the Court of Session

12th July 2022

SCHEDULE 1

Regulation 4

Persons Eligible for Appointment to a Sitting in Retirement Office

PART 1

Sitting in Retirement Offices, Further to the Judicial Offices Listed in Part 1 of Schedule 3 to the Act, and Corresponding Prescribed Offices

Table 1

	Column 1: *Sitting in retirement office*	*Column 2:* *Prescribed office(s)*
1.	Admiralty Registrar (sitting in retirement).	Admiralty Registrar.
2.	Appointed Person for design rights appeal (sitting in retirement).	Appointed Person for design rights appeal.
3.	Appointed Person for trademark appeals (sitting in retirement).	Appointed Person for trademark appeals.
4.	Assistant Judge Advocate General (sitting in retirement).	Judge Advocate General, Vice Judge Advocate General, Assistant Judge Advocate General.
5.	Circuit Judge (sitting in retirement).	Circuit Judge(**a**).
6.	Deputy Admiralty Registrar (sitting in retirement).	Deputy Admiralty Registrar.
7.	Deputy District Judge (sitting in retirement).	Deputy District Judge.
8.	Deputy District Judge (Magistrates' Courts) (England and Wales) (sitting in retirement).	Deputy District Judge (Magistrates' Courts) (England and Wales), Deputy Senior District Judge (Chief Magistrate).
9.	Deputy District Judge of the Principal Registry of the Family Division (sitting in retirement).	Deputy District Judge of the Principal Registry of the Family Division.
10.	Deputy Insolvency and Companies Court Judge (sitting in retirement).	Deputy Insolvency and Companies Court Judge.
11.	Deputy Master, Chancery Division (sitting in retirement).	Deputy Master, Chancery Division.
12.	Deputy Master, Queen's Bench Division (sitting in retirement).	Deputy Master, Queen's Bench Division.
13.	Deputy Registrar of Civil Appeals (sitting in retirement).	Deputy Registrar of Civil Appeals.
14.	Deputy Taxing Master of the Senior Courts (sitting in retirement).	Deputy Taxing Master of the Senior Courts.
15.	District Judge (sitting in retirement).	District Judge.
16.	District Judge (Magistrates' Courts) (England and Wales) (sitting in retirement).	District Judge (Magistrates' Courts) (England and Wales), Senior District Judge (Chief Magistrate), Deputy Senior District Judge (Chief Magistrate).
17.	District Judge of the Principal Registry of	District Judge of the Principal Registry of

(**a**) See paragraph 2 of Part I of Schedule 2 to the Courts Act 1971 (c. 23) in relation to the Recorder of London and Common Sergeant, who are also Circuit Judges.

	the Family Division (sitting in retirement).	the Family Division, Senior District Judge of the Family Division.
18.	High Court Judge (England and Wales) (sitting in retirement).	Puisne Judge of the High Court (England and Wales), Lord Chief Justice, President of the Queen's Bench Division, President of the Family Division, Chancellor of the High Court, Senior Presiding Judge, vice-president of the Queen's Bench Division.
19.	Insolvency and Companies Court Judge (sitting in retirement).	Insolvency and Companies Court Judge, Chief Insolvency and Companies Court Judge.
20.	Lord Justice of Appeal (England and Wales) (sitting in retirement).	Lord Justice of Appeal (England and Wales), Supreme Court Justice, Lord Chief Justice, Chancellor of the High Court, Master of the Rolls, President of the Family Division, President of the Queen's Bench Division.
21.	Master, Chancery Division (sitting in retirement).	Master, Chancery Division, Chief Chancery Master.
22.	Master, Queen's Bench Division (sitting in retirement).	Master, Queen's Bench Division(**a**), Senior Master of the Queen's Bench Division.
23.	Recorder (sitting in retirement).	Recorder.
24.	Registrar of Civil Appeals (sitting in retirement).	Registrar of Civil Appeals.
25.	Taxing Master of the Senior Courts (sitting in retirement).	Taxing Master of the Senior Courts, Chief Taxing Master.

PART 2

Sitting in Retirement Offices, Further to the Judicial Offices Listed in Part 2 of Schedule 3 to the Act, and Corresponding Prescribed Offices

Table 2

	Column 1: *Sitting in retirement office*	*Column 2:* *Prescribed office(s)*
1.	Chair of the Reinstatement Committee (sitting in retirement).	Chair of the Reinstatement Committee.
2.	Chairman of the National Security Certificate Appeals Tribunal (Northern Ireland) (sitting in retirement).	Chairman of the National Security Certificate Appeals Tribunal (Northern Ireland).
3.	Chairman of the Reserve Forces Appeal Tribunal (sitting in retirement).	Chairman of the Reserve Forces Appeal Tribunal.
4.	Deputy Chairman of the National Security Certificate Appeals Tribunal (Northern Ireland) (sitting in retirement).	Deputy Chairman of the National Security Certificate Appeals Tribunal (Northern Ireland).
5.	Deputy Judge of the Upper Tribunal (sitting in retirement).	Deputy Judge of the Upper Tribunal.
6.	Employment Judge (England and Wales) (sitting in retirement).	Employment Judge (England and Wales), Regional Employment Judge (England and

(**a**) See section 89(2) of the Senior Courts Act 1981 (c. 54) in relation to the Queen's coroner and attorney and master of the Crown Office and Registrar of criminal appeals, who is also a Master of the Queen's Bench Division.

		Wales), President of the Employment Tribunals (England and Wales).
7.	Judge of the First-tier Tribunal (sitting in retirement).	Judge of the First-tier Tribunal(**a**).
8.	Judge of the Upper Tribunal (sitting in retirement).	Judge of the Upper Tribunal(**b**).
9.	Member of a panel of chairmen of the Competition Appeal Tribunal (sitting in retirement).	Member of a panel of chairmen of the Competition Appeal Tribunal, President of the Competition Appeal Tribunal.
10.	Member of the panel of chairmen of the Health Service Products (Pricing, Cost Control and Information) Appeals Tribunal (sitting in retirement).	Member of the panel of chairmen of the Health Service Products (Pricing, Cost Control and Information) Appeals Tribunal, Senior Chairman of the Health Service Products (Pricing, Cost Control and Information) Appeals Tribunal.
11.	Non-judicial Member of the First-tier Tribunal (sitting in retirement).	Other member of the First-tier Tribunal where the office is held on a salaried basis or where the person sits as a Chairman in the Property Chamber (Residential Property), Transferred-in Other member of the First-tier Tribunal where the office is held on a salaried basis or where the person sits as a Chairman in the Property Chamber (Residential Property).
12.	Non-judicial Member of the Upper Tribunal (sitting in retirement).	Other member of the Upper Tribunal where the office is held on a salaried basis or where the person sits as a Chairman in the Lands Chamber and is a Member or Fellow of the Royal Institution of Chartered Surveyors, Transferred-in Other member of the Upper Tribunal where the office is held on a salaried basis or where the person sits as a Chairman in the Lands Chamber and is a Member or Fellow of the Royal Institution of Chartered Surveyors.

PART 3

Sitting in Retirement Offices, Further to the Judicial Offices Listed in Part 3 of Schedule 3 to the Act, and Corresponding Prescribed Offices

Table 3

	Column 1: *Sitting in retirement office*	*Column 2:* *Prescribed office(s)*
1.	Child Support Commissioner for Northern Ireland (sitting in retirement).	Chief Child Support Commissioner for Northern Ireland, Child Support Commissioner for Northern Ireland.
2.	Coroner (Northern Ireland) (sitting in retirement).	Coroner (Northern Ireland).

(**a**) See section 4 of the Tribunals, Courts and Enforcement Act 2007 ("the 2007 Act") in relation to office holders who are also judges of the First-tier Tribunal.

(**b**) See section 5 of the 2007 Act in relation to office holders who are also judges of the Upper Tribunal (which includes Chamber Presidents and Deputy Chamber Presidents).

3.	County Court Judge (Northern Ireland) (sitting in retirement).	County Court Judge (Northern Ireland).
4.	Deputy Child Support Commissioner for Northern Ireland (sitting in retirement).	Deputy Child Support Commissioner for Northern Ireland.
5.	Deputy Coroner (Northern Ireland) (sitting in retirement).	Deputy Coroner (Northern Ireland).
6.	Deputy County Court Judge (Northern Ireland) (sitting in retirement).	Deputy County Court Judge (Northern Ireland).
7.	Deputy District Judge (Magistrates' Courts) (Northern Ireland) (sitting in retirement).	Deputy District Judge (Magistrates' Courts) (Northern Ireland).
8.	Deputy Social Security Commissioner for Northern Ireland (sitting in retirement).	Deputy Social Security Commissioner for Northern Ireland.
9.	Deputy statutory officer (appointed under section 74 of the Judicature (Northern Ireland) Act 1978) (sitting in retirement).	Deputy statutory officer (appointed under section 74 of the Judicature (Northern Ireland) Act 1978).
10.	District Judge (Northern Ireland) (sitting in retirement).	District Judge (Northern Ireland).
11.	District Judge (Magistrates' Courts) (Northern Ireland) (sitting in retirement).	District Judge (Magistrates' Courts) (Northern Ireland).
12.	High Court Judge (Northern Ireland) (sitting in retirement).	Judge of the High Court (Northern Ireland), Lord Chief Justice of Northern Ireland.
13.	Legally Qualified Member of the Pensions Appeal Tribunal for Northern Ireland (sitting in retirement).	President of the Pensions Appeal Tribunal for Northern Ireland, Deputy President of the Pensions Appeal Tribunal for Northern Ireland, Legally Qualified Member of the Pensions Appeal Tribunal for Northern Ireland.
14.	Lord Justice of Appeal (Northern Ireland) (sitting in retirement).	Lord Justice of Appeal (Northern Ireland), Supreme Court Justice, Lord Chief Justice of Northern Ireland.
15.	Master (Bankruptcy) (Northern Ireland) (sitting in retirement).	Master (Bankruptcy) (Northern Ireland).
16.	Master (Care and Protection) (Northern Ireland) (sitting in retirement).	Master (Care and Protection) (Northern Ireland).
17.	Master (Chancery) (Northern Ireland) (sitting in retirement).	Master (Chancery) (Northern Ireland).
18.	Master (Enforcement of Judgments) (Northern Ireland) (sitting in retirement).	Master (Enforcement of Judgments) (Northern Ireland).
19.	Master (High Court) (Northern Ireland) (sitting in retirement).	Master (High Court) (Northern Ireland).
20.	Master (Probate and Matrimonial) (Northern Ireland) (sitting in retirement).	Master (Probate and Matrimonial) (Northern Ireland).
21.	Master (Queen's Bench and Appeals) (Northern Ireland) (sitting in retirement).	Master (Queen's Bench and Appeals) (Northern Ireland).
22.	Master (Taxing Office) (Northern Ireland) (sitting in retirement).	Master (Taxing Office) (Northern Ireland).
23.	Social Security Commissioner for Northern Ireland (sitting in retirement).	Chief Social Security Commissioner for Northern Ireland, Social Security Commissioner for Northern Ireland.

PART 4

Sitting in Retirement Offices, Further to the Judicial Offices Listed in Part 6 of Schedule 3 to the Act, and Corresponding Prescribed Offices

Table 4

	Column 1: *Sitting in retirement office*	*Column 2:* *Prescribed office*
1.	Employment Judge (Scotland) (sitting in retirement).	Employment Judge (Scotland), Vice President of Employment Tribunals (Scotland), President of Employment Tribunals (Scotland).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 124(3) and (4)(a), (b), (c) and (f), and section 129(1)(b) of the Public Service Pensions and Judicial Offices Act 2022 in order to prescribe offices held by, and further descriptions of, persons eligible to be appointed to a sitting in retirement office. These Regulations only apply to sitting in retirement offices where the appointing authority is the Lord Chief Justice, the Senior President of Tribunals, the Lady Chief Justice of Northern Ireland or the Lord President of the Court of Session.

The Tables in Schedule 1 to these Regulations list the prescribed judicial offices that a person must hold or have held prior to their retirement in order to be appointed to the corresponding sitting in retirement office.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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