

**Ordinance 2 of 2018**

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**COURTS (CONSTITUTION AND JURISDICTION)  
(AMENDMENT) ORDINANCE 2018**

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An Ordinance to amend the Courts (Constitution and Jurisdiction) Ordinance 2007

J. Illingworth  
**ADMINISTRATOR**

*18 January 2018*

**BE** it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

**Short title**

1. This Ordinance may be cited as the Courts (Constitution and Jurisdiction) (Amendment) Ordinance 2018.

**Commencement**

2. This Ordinance comes into force on 22 January 2018.

### **Amendment of the Courts (Constitution and Jurisdiction) Ordinance 2007**

3. The Courts (Constitution and Jurisdiction) Ordinance 2007(a) is amended as follows.

#### **Amendment of section 6**

4. In section 6 (appointment of a Senior Judge), in subsection (2) omit “(which may be renewed)”.

#### **Amendment of section 7**

5. In section 7 (appointment of Resident Judge), in subsection (2) omit “(which may be renewed)”.

#### **Amendment of section 8**

6. In section 8 (appointment of an Associate Judge), in subsection (2) omit “(which may be renewed)”.

#### **Amendment of section 9**

7. In section 9 (appointment of an Acting Judge), in subsection (2) omit “(which may be renewed)”.

#### **Amendment of section 11**

8.—(1) Section 11 (qualification) is amended as follows.

(2) For subsection (2) substitute—

“(2) A person (P) is qualified for appointment as the Resident Judge if P is—

(a) a salaried judicial office holder in England and Wales, and

(b) under the age of 70.”

(3) In subsection (5) omit “(including any renewal of appointment)”.

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(a) Ordinance 5/2007, as amended by Ordinances 8/2012, 2/2014, 6/2016 and 2/2017.

## **EXPLANATORY NOTE**

*(This note is not part of the Ordinance)*

**1.** This explanatory note relates to the Courts (Constitution and Jurisdiction) (Amendment) Ordinance 2018 (“the Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.

**2.** The Ordinance amends the Courts (Constitution and Jurisdiction) Ordinance 2007 (“the principal Ordinance”).

**3.** Sections 6 (appointment of a Senior Judge), 7 (appointment of Resident Judge), 8 (appointment of an Associate Judge) and 9 (appointment of an Acting Judge) of the principal Ordinance are amended by removing the reference to discretionary renewal of appointments under these provisions.

**4.** Section 11 (qualification) is amended by inserting new eligibility criteria for the appointment of the Resident Judge. Previously, the appointment was open to any judge of a Court of Record in Her Majesty’s Dominions or a person qualified for at least ten years to practise legal profession in the United Kingdom, the Republic of Ireland or any part of the Dominions. The new qualification criteria restrict eligibility for the office of the Resident Judge to any salaried judicial office holder in England and Wales, who is under the age of 70.

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