

Changes to legislation: Justice (Northern Ireland) Act 2002, Part 1 is up to date with all changes known to be in force on or before 17 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

[^{F1}SCHEDULE 3

APPOINTMENT TO LISTED JUDICIAL OFFICES

Textual Amendments

F1 Sch. 3 substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 13**; S.I. 2010/812, art. 2

PART 1

APPOINTMENTS BY HER MAJESTY

Application

- 1 This Part of this Schedule applies to a listed judicial office to which persons are appointed by Her Majesty; and “listed judicial office” is to be read accordingly.

Process

- 2 (1) Her Majesty's power to appoint a person to a listed judicial office is exercisable on the Lord Chancellor's recommendation.
- (2) The Lord Chancellor's power to recommend a person for appointment to a listed judicial office is exercisable only (and must be exercised) as follows.
- (3) The Commission is responsible for the selection of persons for recommendation for appointment to listed judicial offices (including, for deciding the timing of any selection or selection process).
- (4) When the Commission selects a person under sub-paragraph (3) it must notify the Lord Chancellor.
- (5) The Lord Chancellor must, as soon as reasonably practicable, recommend the selected person for appointment to the office in question.
- (6) The Commission must (in particular) exercise its power under sub-paragraph (3) to ensure that any vacancy in a listed judicial office is filled.
- (7) Sub-paragraph (6) does not apply to a vacancy while the Lord Chief Justice agrees that it may remain unfilled.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(1A) inserted by [2023 c. 41 Sch. 13 para. 5\(2\)](#)
- s. 31(7) inserted by [2023 c. 41 Sch. 13 para. 5\(4\)](#)