



Justice (Northern Ireland) Act 2004

2004 CHAPTER 4

The judiciary

3 Duty of Commission to secure judiciary reflective of the community

In section 5 of the 2002 Act for subsections (8) and (9) (duty of Commission to secure range of persons reflective of community in Northern Ireland is available for consideration by the Commission, but appointment to be on basis of merit) substitute—

- “(8) The selection of a person to be appointed, or recommended for appointment, to a listed judicial office (whether initially or after reconsideration) must be made solely on the basis of merit.
- (9) Subject to that, the Commission must at all times engage in a programme of action which complies with subsection (10).
- (10) A programme of action complies with this subsection if—
- (a) it is designed to secure, so far as it is reasonably practicable to do so, that appointments to listed judicial offices are such that those holding such offices are reflective of the community in Northern Ireland;
 - (b) it requires the Commission, so far as it is reasonably practicable to do so, to secure that a range of persons reflective of the community in Northern Ireland is available for consideration by the Commission whenever it is required to select a person to be appointed, or recommended for appointment, to a listed judicial office; and
 - (c) it is for the time being approved by the Commission for the purposes of this section.”