



Constitutional Reform Act 2005

2005 CHAPTER 4

PART 3

THE SUPREME COURT

The Supreme Court

23 The Supreme Court

- (1) There is to be a Supreme Court of the United Kingdom.
- (2) The Court consists of [^{F1}the persons appointed as its judges] by Her Majesty by letters patent [^{F2}, but no appointment may cause the full-time equivalent number of judges of the Court at any time to be more than 12].
- (3) Her Majesty may from time to time by Order in Council amend subsection (2) so as to increase or further increase the [^{F3}maximum full-time equivalent] number of judges of the Court.
- (4) No recommendation may be made to Her Majesty in Council to make an Order under subsection (3) unless a draft of the Order has been laid before and approved by resolution of each House of Parliament.
- (5) Her Majesty may by letters patent appoint one of the judges to be President and one to be Deputy President of the Court.
- (6) The judges other than the President and Deputy President are to be styled “Justices of the Supreme Court”.
- (7) The Court is to be taken to be duly constituted despite any vacancy ^{F4}... in the office of President or Deputy President.
- [^{F5}(8) For the purposes of this section, the full-time equivalent number of judges of the Court is to be calculated by taking the number of full-time judges and adding, for each judge who is not a full-time judge, such fraction as is reasonable.]

Changes to legislation: Constitutional Reform Act 2005, Cross Heading: The Supreme Court is up to date with all changes known to be in force on or before 18 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

Textual Amendments

- F1** Words in s. 23(2) substituted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 13 para. 2\(2\)\(a\)](#); S.I. 2013/2200, art. 3(d) (with savings in S.I. 2013/2193, reg. 23)
- F2** Words in s. 23(2) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 13 para. 2\(2\)\(b\)](#); S.I. 2013/2200, art. 3(d) (with savings in S.I. 2013/2193, reg. 23)
- F3** Words in s. 23(3) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 13 para. 2\(3\)](#); S.I. 2013/2200, art. 3(d) (with savings in S.I. 2013/2193, reg. 23)
- F4** Words in s. 23(7) omitted (1.10.2013) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 13 para. 2\(4\)](#); S.I. 2013/2200, art. 3(d) (with savings in S.I. 2013/2193, reg. 23)
- F5** S. 23(8) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 13 para. 2\(5\)](#); S.I. 2013/2200, art. 3(d) (with savings in S.I. 2013/2193, reg. 23)

24 First members of the Court

On the commencement of section 23—

- (a) the persons who immediately before that commencement are Lords of Appeal in Ordinary become judges of the Supreme Court,
- (b) the person who immediately before that commencement is the senior Lord of Appeal in Ordinary becomes the President of the Court, and
- (c) the person who immediately before that commencement is the second senior Lord of Appeal in Ordinary becomes the Deputy President of the Court.

Changes to legislation:

Constitutional Reform Act 2005, Cross Heading: The Supreme Court is up to date with all changes known to be in force on or before 18 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.

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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. 132(4A) words substituted by [2015 c. 2 s. 83\(1\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(2\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(3\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(4\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(6\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(8\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(9\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(10\)\(a\)](#)
- Sch. 7 para. 4Pt. A words substituted by [2007 c. 15 s. 144\(10\)\(b\)](#)