
Changes to legislation: Constitutional Reform Act 2005, Cross Heading: Acting Ombudsman is up to date with all changes known to be in force on or before 23 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

SCHEDULE 13

THE JUDICIAL APPOINTMENTS AND CONDUCT OMBUDSMAN

Acting Ombudsman

- 7 (1) The Lord Chancellor may appoint a person to exercise the functions of the Ombudsman if—
- (a) the Ombudsman's office becomes vacant,
 - (b) the Lord Chancellor determines that the Ombudsman is incapable of exercising his functions, or
 - (c) the Ombudsman notifies the Lord Chancellor that it would be inappropriate for him to exercise any of his functions in connection with a particular matter because of a possible conflict of interests or for any other reason.
- (2) But a person may be appointed under this paragraph only if he is eligible under paragraph 1(2) to be appointed as Ombudsman.
- (3) The Lord Chancellor may—
- (a) pay to a person appointed under this paragraph such remuneration, fees or expenses as the Lord Chancellor may determine;
 - (b) pay, or make provision for the payment of, such pension, allowance or gratuity as the Lord Chancellor may determine to or in respect of a person who is or has been a person appointed under this paragraph.
- (4) A person appointed under this paragraph is to exercise the functions of the Ombudsman in accordance with the terms of his appointment.
- (5) The Lord Chancellor may end an appointment under this paragraph at any time.
- (6) Otherwise any appointment of a person under this paragraph ends on the earliest of—
- (a) that person's ceasing to be eligible to be appointed as Ombudsman;
 - (b) the expiry of the appointment in accordance with its terms and conditions;
 - (c) the date on which with the agreement of the Lord Chancellor the Ombudsman resumes the exercise of his functions;
 - (d) the appointment of a new Ombudsman;
 - (e) the end of twelve months beginning with the relevant date.
- (7) The relevant date is—
- (a) if the appointment was under sub-paragraph (1)(a), the date when the vacancy arose;
 - (b) if the appointment was under sub-paragraph (1)(b), the date of the Lord Chancellor's determination;
 - (c) if the appointment was under sub-paragraph (1)(c), the date of the notification.

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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\(10\)\(b\)](#)