

**Changes to legislation:** There are currently no known outstanding effects for the Northern Ireland Act 2009, Cross  
Heading: Appointment of the Lord Chief Justice and Lords Justices of Appeal. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### SECTIONS 12 TO 12C OF THE JUDICATURE (NORTHERN IRELAND) ACT 1978

##### Commencement Information

**II** Sch. 2 in force at 12.4.2010 by [S.I. 2010/812](#), [art. 2](#)

##### *Appointment of the Lord Chief Justice and Lords Justices of Appeal*

- 12 (1) Whenever the office of Lord Chief Justice is vacant, Her Majesty may appoint a qualified person to that office by letters patent under the Great Seal of Northern Ireland.
- (2) Her Majesty may, from time to time, appoint a qualified person as a Lord Justice of Appeal by letters patent under the Great Seal of Northern Ireland (but subject to the limit on numbers for the time being imposed by section 3).
- (3) Her Majesty's powers of appointment under this section are exercisable on the Prime Minister's recommendation.
- (4) The Prime Minister must make a recommendation to fill any vacancy in the office of Lord Chief Justice or Lord Justice of Appeal.
- (5) Subsection (4) does not apply to a vacancy in the office of Lord Justice of Appeal while the Lord Chief Justice agrees that it may remain unfilled.
- (6) Before making a recommendation, the Prime Minister must consult—
- (a) the Lord Chief Justice or, if that office is vacant or the Lord Chief Justice is not available, the senior Lord Justice of Appeal who is available, and
  - (b) the Northern Ireland Judicial Appointments Commission.

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