
Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 13

JUDICIAL APPOINTMENTS

PART 1

JUDGES OF THE SUPREME COURT: NUMBER AND SELECTION

Selection of persons to be recommended for appointment to the Court

5 After section 27 insert—

“27A Regulations about selection process

- (1) The Lord Chancellor must by regulations made with the agreement of the senior judge of the Supreme Court—
 - (a) make further provision about membership of selection commissions convened under section 26,
 - (b) make further provision about the process that is to be applied in any case where a selection commission is required to be convened under section 26, and
 - (c) secure that, in every such case, there will come a point in the process when a selection has to be accepted, either unconditionally or subject only to matters such as the selected person's willingness and availability, by or on behalf of the Lord Chancellor.
- (2) The regulations may in particular—
 - (a) provide for process additional to the selection process applied by a selection commission under section 27(1), including post-acceptance process;
 - (b) make provision as to things that are, or as to things that are not, to be done by a selection commission—
 - (i) as part of the selection process applied by it under section 27(1), or
 - (ii) in determining what that process is to be;
 - (c) provide for the Lord Chancellor to be entitled to require a selection commission to reconsider a selection under section 27(1) or any subsequent selection;
 - (d) provide for the Lord Chancellor to be entitled to reject a selection under section 27(1) or any subsequent selection;
 - (e) give other functions to the Lord Chancellor;
 - (f) provide for particular action to be taken by a selection commission after it has complied with section 27;

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- (g) provide for the dissolution of a selection commission;
 - (h) provide for section 16(2)(a) or (b) not to apply in relation to functions of the Lord Chief Justice—
 - (i) as a member of a selection commission (including functions of chairing a selection commission), or
 - (ii) in relation to the nomination or appointment of members of a selection commission;
 - (i) provide for a person to cease to be a member of a selection commission where a requirement about the commission's members ceases to be met by the person's membership of the commission;
 - (j) provide for a person to become a member of a selection commission already convened where another person ceases to be a member of the commission or where a requirement about the commission's members ceases to be met by another person's membership of the commission;
 - (k) provide for payment to a member of a selection commission of amounts by way of allowances or expenses;
 - (l) make provision as to what amounts to practice or employment as a lawyer for the purposes of section 27(11)(b).
- (3) Before making regulations under this section the Lord Chancellor must consult—
- (a) the First Minister in Scotland,
 - (b) the Northern Ireland Judicial Appointments Commission,
 - (c) the First Minister for Wales,
 - (d) the Lord President of the Court of Session,
 - (e) the Lord Chief Justice of Northern Ireland, and
 - (f) the Lord Chief Justice of England and Wales.
- (4) Regulations under this section—
- (a) may make different provision for different purposes;
 - (b) may make transitory, transitional or saving provision.
- (5) In this section “the senior judge”, in relation to the Court, has the meaning given by section 26(5B).”

Commencement Information

II Sch. 13 para. 5 in force at 1.10.2013 by [S.I. 2013/2200](#), [art. 3\(d\)](#) (with savings in [S.I. 2013/2193](#), reg. 23)

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