

Changes to legislation: Justice (Northern Ireland) Act 2002, Paragraph 1 is up to date with all changes known to be in force on or before 09 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

[^{F1}SCHEDULE 3A

THE NORTHERN IRELAND JUDICIAL APPOINTMENTS OMBUDSMAN

Textual Amendments

- F1** Sch. 3A inserted (25.9.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 124, 148, [Sch. 15](#); [S.I. 2006/1537](#), [art. 3](#)

[^{F2}Circumstances where Ombudsman ineligible to exercise specified functions

Textual Amendments

- F2** Sch. 3A paras. 1-1C and cross-headings substituted for Sch. 3A para. 1 (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\)](#), s. 64, [Sch. 6 para. 4](#)

- 1 (1) The Ombudsman is ineligible to exercise specified functions if either sub-paragraph (2) or (3) applies.
- (2) This sub-paragraph applies where the Ombudsman—
- (a) is engaged in political activity as a member of a political party; or
 - (b) has ever been any of these—
 - (i) a practising barrister in England and Wales;
 - (ii) a practising solicitor of the Senior Courts of England and Wales;
 - (iii) a practising advocate in Scotland;
 - (iv) a practising solicitor in Scotland;
 - (v) a practising member of the Bar of Northern Ireland;
 - (vi) a practising solicitor of the Court of Judicature of Northern Ireland;
 - (vii) the holder of a listed judicial office.
- (3) This sub-paragraph applies where the Ombudsman considers—
- (a) that the Ombudsman has exercised functions that appear to be of a judicial nature and such as to make it inappropriate for the Ombudsman to exercise specified functions; or
 - (b) that past service in a capacity mentioned in sub-paragraph (5) makes it inappropriate for the Ombudsman to exercise specified functions.
- (4) As part of the considerations under sub-paragraph (3), the Ombudsman may consult the Department of Justice.
- (5) The service referred to in sub-paragraph (3)(b) is service as any of these –
- (a) a Commissioner;
 - (b) a member of staff of the Commission;

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(c) a person employed in the civil service of the State.]]

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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. 31(1A) inserted by [2023 c. 41 Sch. 13 para. 5\(2\)](#)
- s. 31(7) inserted by [2023 c. 41 Sch. 13 para. 5\(4\)](#)