



Justice (Northern Ireland) Act 2002

2002 CHAPTER 26

PART 1

THE JUDICIARY

Appointment and removal

7 Removal from listed judicial offices

- (1) A person holding a listed judicial office may be removed from office (and suspended from office pending a decision whether to remove him) but only in accordance with this section.
 - (2) The power to remove or suspend him is exercisable by the [^{F1}Lord Chief Justice].
 - (3) He may only be removed if a tribunal convened under section 8 has reported to the [^{F2}Lord Chief Justice] recommending that he be removed on the ground of misbehaviour or inability to perform the functions of the office.
 - (4) He may only be suspended if the tribunal, at any time when it is considering whether to recommend his removal, has recommended to [^{F3}the Lord Chief Justice] that he be suspended.
 - ^{F4}(5)
 - (6) If he is suspended he may not perform any of the functions of the office until the decision whether to remove him has been taken (but his other rights as holder of the office are unaffected).
- [^{F5}(6A) If the Lord Chief Justice does not remove or suspend a person (“P”) in accordance with a recommendation as mentioned in subsection (3) or (4), the Lord Chief Justice must notify the following of the Lord Chief Justice’s reasons for not removing or suspending P—
- (a) P;
 - (b) the tribunal;

Status: Point in time view as at 12/04/2010. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Justice (Northern Ireland) Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (c) if the tribunal was convened by the Northern Ireland Judicial Appointments Ombudsman, the Ombudsman.]
- (7) Nothing in subsections (1) to [F6(6A)] applies to a judge of the High Court appointed before the coming into force of this section (as to the removal and suspension of whom see [F7section 12C] of the Judicature (Northern Ireland) Act 1978 (c. 23) F8 ...).
- (8) But, subject to that, those subsections apply whatever the date of a person's appointment.

Textual Amendments

- F1** Words in s. 7(2) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(2)**; S.I. 2010/812, art. 2
- F2** Words in s. 7(3) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(3)**; S.I. 2010/812, art. 2
- F3** Words in s. 7(4) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(4)**; S.I. 2010/812, art. 2
- F4** S. 7(5) omitted (12.4.2010) by virtue of Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(5)**; S.I. 2010/812, art. 2
- F5** S. 7(6A) inserted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(6)**; S.I. 2010/812, art. 2
- F6** Words in s. 7(7) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(7) (a)**; S.I. 2010/812, art. 2
- F7** Words in s. 7(7) substituted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(7) (b)**; S.I. 2010/812, art. 2
- F8** Words in s. 7(7) omitted (12.4.2010) by virtue of Northern Ireland Act 2009 (c. 3), s. 5(7), **Sch. 3 para. 6(7)(c)**; S.I. 2010/812, art. 2

Commencement Information

- I1** S. 7(1)-(4)(6)-(8) in force at 12.4.2010 by S.R. 2010/113, art. 2, **Sch. para. 1**

Status:

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