



# Courts Act 2003

## 2003 CHAPTER 39

### PART 2

#### JUSTICES OF THE PEACE

##### *Chairman and deputy chairmen and the bench*

#### **17 Chairman and deputy chairmen: selection**

- (1) For each local justice area there is to be—
  - (a) a chairman of the lay justices assigned to the area, and
  - (b) one or more deputy chairmen of those lay justices, chosen by them from among their number.
- (2) Rules may make provision—
  - (a) subject to subsection (3), as to the term of office of the chairman and deputy chairmen, and
  - (b) as to the number of deputy chairmen to be elected for any area.
- (3) The [<sup>F1</sup>Lord Chief Justice may, with the concurrence of the Lord Chancellor,] authorise a lay justice to continue to hold office as chairman or deputy chairman for the purposes of specified proceedings which are, or are expected to be, in progress on the day on which the lay justice's office would otherwise end.
- (4) Any contested election for choosing the chairman or a deputy chairman is to be held by secret ballot.
- (5) Rules may make provision for the purposes of this section and may in particular make provision—
  - (a) about the procedure for nominating candidates for election as a chairman or a deputy chairman;
  - (b) about the procedure at such an election.

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**Changes to legislation:** Courts Act 2003, Section 17 is up to date with all changes known to be in force on or before 28 May 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

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[<sup>F2</sup>(6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

#### Textual Amendments

- F1** Words in s. 17(3) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 15, Sch. 4 para. 319\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(y)
- F2** S. 17(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 15, Sch. 4 para. 319\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(y)

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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. 75(6) inserted by [2022 c. 35 Sch. 4 para. 3\(2\)](#)
- s. 76(2B) inserted by [2010 c. 26 Sch. 3 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22](#), s. 17(4) ; S.I. 2013/2200 art. 2(a))
- s. 81(6) inserted by [2022 c. 35 Sch. 4 para. 3\(3\)](#)
- s. 85EA(5) words substituted by [2022 c. 32 Sch. 11 para. 29](#)
- Sch. 5 para. 13(1)(ca) inserted by [2013 c. 22 s. 26\(3\)](#)

**Commencement Orders yet to be applied to the Courts Act 2003**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2005/547 art. 2](#) commences ([2003 c. 39](#))