

*These notes refer to the Constitutional Reform Act 2005
(c.4) which received Royal Assent on 24 March 2005*

CONSTITUTIONAL REFORM ACT 2005

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Chapter 1 Appointments Commission

Disclosure of information to the Commission

Section 123: Disclosure of information to the Northern Ireland Judicial Appointments Commission

343. The Justice (Northern Ireland) Act 2002 provides for the creation of the Northern Ireland Judicial Appointments Commission. There is currently no provision in the 2002 Act for disclosure of information, held by permitted persons, to the Commission for the purposes of selection for appointment to judicial office. This section makes provision equivalent to that made in section 107 of the Constitutional Reform Act for disclosure to the Judicial Appointments Commission in England and Wales. Permitted persons are defined as:

- a chief officer of police of a police force in England and Wales;
- a chief constable of a police force in Scotland;
- the Chief Constable of the Police Service of Northern Ireland;
- the Director General of the National Criminal Intelligence Service;
- the Director General of the National Crime Squad;
- the Commissioners of Inland Revenue; and
- the Commissioners of Customs and Excise.

344. This section also provides that the Lord Chancellor may, by order, designate other persons who exercise functions, which he considers are of a public nature, as 'permitted persons'.