



Constitutional Reform Act 2005

2005 CHAPTER 4

PART 4

JUDICIAL APPOINTMENTS AND DISCIPLINE

CHAPTER 2

APPOINTMENTS

Puisne judges and other office holders

92 Selection following rejection or requirement to reconsider

- (1) If under section 90 the Lord Chancellor rejects or requires reconsideration of a selection at stage 1 or 2, the Commission must select a person in accordance with this section.
- (2) If the Lord Chancellor rejects a selection, the Commission—
 - (a) may not select the person rejected, and
 - (b) where the rejection is following a requirement to reconsider, may not select the person (if different) whose selection it reconsidered.
- (3) If the Lord Chancellor requires a selection to be reconsidered, the Commission—
 - (a) may select the same person or a different person, but
 - (b) where the requirement is following a rejection, may not select the person rejected.
- (4) But if the Commission decides that the selection process has not identified a candidate of sufficient merit for it to make a selection under this section—
 - (a) section 93 applies;
 - (b) subsection (1) does not apply, but subsections (2) and (3) apply to any selection under section 93.

Status: Point in time view as at 03/04/2006. This version of this provision has been superseded.

Changes to legislation: Constitutional Reform Act 2005, Section 92 is up to date with all changes known to be in force on or before 22 June 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)

- (5) The Commission must inform the Lord Chancellor of any person selected following a rejection or a requirement to reconsider.
- (6) Subsections (2) and (3) do not prevent a person being selected on a subsequent request under section 87.

Status:

Point in time view as at 03/04/2006. This version of this provision has been superseded.

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