



Courts Act 2003

2003 CHAPTER 39

PART 2

JUSTICES OF THE PEACE

Lay justices

10 Appointment of lay justices etc.

- (1) Lay justices are to be appointed for England and Wales by the [^{F1}Lord Chief Justice] by instrument on behalf and in the name of Her Majesty.
- [^{F2}(1A) Subject to the following provisions of this section and to sections 11 to 15, a person appointed under subsection (1) is to hold and vacate office as a justice of the peace in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine.]
- (2) [^{F3}Lord Chief Justice]
- (a) must assign each lay justice to one or more local justice areas, and
 - (b) may change an assignment so as to assign the lay justice to a different local justice area or to different local justice areas.
- [^{F4}(2ZA) The Lord Chief Justice must ensure that arrangements for the exercise, so far as affecting any local justice area, of the function under subsection (1) include arrangements for consulting persons appearing to the Lord Chief Justice to have special knowledge of matters relevant to the exercise of that function in relation to that area.]
- [^{F5}(2A) The Lord Chancellor must ensure that arrangements for the exercise, so far as affecting any local justice area, of functions under [^{F6}subsection] (2) include arrangements for consulting persons appearing to him to have special knowledge of matters relevant to the exercise of those functions in relation to that area.]

Changes to legislation: Courts Act 2003, Section 10 is up to date with all changes known to be in force on or before 19 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

- (3) Every lay justice is, by virtue of his office, capable of acting as such in any local justice area (whether or not he is assigned to it); but he may do so only in accordance with arrangements made by [^{F7}Lord Chief Justice] .
- (4) Rules may make provision about the training courses to be completed before a person may exercise functions as a lay justice in any proceedings or class of proceedings specified in the rules.
- (5) Subsection (3) is subject to section 12 (the supplemental list).
- [^{F8}(6) The functions conferred on the Lord Chief Justice by subsections (2) and (3) may be exercised only after consulting the Lord Chancellor.
- [The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of ^{F9}(6A) the Constitutional Reform Act 2005) to exercise functions of the Lord Chief Justice under subsection (1).]
- (7) 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 subsection (2)[^{F10}, (2ZA)] or (3).]

Textual Amendments

- F1** Words in s. 10(1) substituted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 13 para. 39\(2\)](#); S.I. 2013/2200, [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)
- F2** S. 10(1A) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 13 para. 39\(3\)](#); S.I. 2013/2200, [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)
- F3** Words in s. 10(2) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 15, Sch. 4 para. 313\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(y)
- F4** S. 10(2ZA) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 13 para. 39\(4\)](#); S.I. 2013/2200, [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)
- F5** S. 10(2A) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 106](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 6
- F6** Word in s. 10(2A) substituted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 13 para. 39\(5\)](#); S.I. 2013/2200, [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)
- F7** Words in s. 10(3) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 15, Sch. 4 para. 313\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(y)
- F8** S. 10(6)(7) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\), s. 15, Sch. 4 para. 313\(4\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11(y)
- F9** S. 10(6A) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 13 para. 39\(6\)](#); S.I. 2013/2200, [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)
- F10** Word in s. 10(7) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 13 para. 39\(7\)](#); S.I. 2013/2200, [art. 3\(e\)](#) (with savings in S.I. 2013/2192, regs. 48, 49)

Changes to legislation:

Courts Act 2003, Section 10 is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

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)