



Justice (Northern Ireland) Act 2004

2004 CHAPTER 4

The judiciary

1 Transfer to Lord Chancellor of functions relating to Judicial Appointments Commission

The Justice (Northern Ireland) Act 2002 (c. 26) (“the 2002 Act”) is amended as set out in Schedule 1 for the purpose of transferring to the Lord Chancellor functions exercisable by the First Minister and deputy First Minister, acting jointly, in relation to the Northern Ireland Judicial Appointments Commission.

2 Membership of the Commission

- (1) In section 3 of the 2002 Act for subsection (8) (lay members of the Commission to be representative of the community in Northern Ireland) substitute—

“(8) It is the duty of—

- (a) the Lord Chancellor, and
- (b) those responsible for making nominations under subsection (5)(a) and (b),

to make such arrangements in connection with the exercise of their functions under this section as will, so far as is practicable, secure that the membership of the Commission is reflective of the community in Northern Ireland.”

- (2) In Schedule 2 to the 2002 Act in paragraph 1 (tenure of judicial members) for subparagraph (1) substitute—

“(1) Subject as follows, a judicial member of the Commission holds office for the period specified in his appointment (or re-appointment).

- (1A) A person may not be appointed as a judicial member for more than five years at a time; and the aggregate period for which a person may be a judicial member by virtue of his holding any one of the judicial offices mentioned in section 3(6) must not exceed ten years.”

Changes to legislation: There are currently no known outstanding effects for the Justice (Northern Ireland) Act 2004, Cross Heading: The judiciary. (See end of Document for details)

3 Duty of Commission to secure judiciary reflective of the community

F1

Textual Amendments

F1 S. 3 omitted (12.4.2010) by virtue of Northern Ireland Act 2009 (c. 3), ss. 2(4), 5(7), **Sch. 5 para. 5**; S.I. 2010/812, **art. 2**

4 Appointment of Lord Chief Justice and Lords Justices of Appeal

F2

Textual Amendments

F2 S. 4 omitted (12.4.2010) by virtue of Northern Ireland Act 2009 (c. 3), ss. 2(4), 5(7), **Sch. 5 para. 5**; S.I. 2010/812, **art. 2**

5 Removal or suspension from listed judicial offices

F3

Textual Amendments

F3 S. 5 omitted (12.4.2010) by virtue of Northern Ireland Act 2009 (c. 3), ss. 2(4), 5(7), **Sch. 5 para. 5**; S.I. 2010/812, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Justice (Northern Ireland) Act 2004,
Cross Heading: The judiciary.