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**Changes to legislation:** Constitutional Reform Act 2005, Paragraph 115 is up to date with all changes known to be in force on or before 26 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

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## SCHEDULES

### SCHEDULE 4

#### OTHER FUNCTIONS OF THE LORD CHANCELLOR AND ORGANISATION OF THE COURTS

##### PART 1

##### AMENDMENTS

###### *Supreme Court Act 1981 (c. 54)*

- 115 (1) Section 2 (membership of the Court of Appeal) is amended as follows.
- (2) In subsection (2)—
- (a) omit paragraph (a);
  - (b) in paragraph (b) for “has been Lord Chancellor” substitute “ was Lord Chancellor before 12 June 2003 ”;
  - (c) for paragraphs (f) and (g) substitute—
    - “(f) the President of the Queen's Bench Division;
    - (g) the President of the Family Division;
    - (h) the Chancellor of the High Court;”
  - (d) for “Lord Chancellor's request” substitute “ request of the Lord Chief Justice ”.
- (3) After subsection (2) insert—
- “(2A) 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 function under subsection (2) of making requests to persons within paragraphs (b) and (c) of that subsection.”
- (4) After subsection (4) insert—
- “(4A) It is for the Lord Chancellor to recommend to Her Majesty the making of an Order under subsection (4).”
- (5) In subsection (6)—
- (a) omit “Lord Chancellor;”;
  - (b) for “President of the Family Division or Vice-Chancellor” substitute “ President of the Queen's Bench Division, President of the Family Division or Chancellor of the High Court ”.

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#### Commencement Information

- II** [Sch. 4 para. 115](#) wholly in force at 3.4.2006; [Sch. 4 para. 115](#) not in force at Royal Assent see [s. 148](#); [Sch. 4 para. 115\(2\)\(c\)\(5\)\(b\)](#) in force at 1.10.2005 by [S.I. 2005/2505](#), [art. 2](#); [Sch. 4 para. 115](#) in force at 3.4.2006 in so far as not already in force by [S.I. 2006/1014](#), [art. 2\(a\)](#), [Sch. 1 para 11\(f\)](#)

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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. 132(4A) words substituted by [2015 c. 2 s. 83\(1\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(2\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(3\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(4\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(6\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(8\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(9\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(10\)\(a\)](#)
- Sch. 7 para. 4Pt. A words substituted by [2007 c. 15 s. 144\(10\)\(b\)](#)