

Status: Point in time view as at 03/04/2006.

Changes to legislation: Courts Act 2003, SCHEDULE 1 is up to date with all changes known to be in force on or before 15 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)

SCHEDULES

SCHEDULE 1

Section 4

CONSTITUTION AND PROCEDURE OF COURTS BOARDS

Constitution

- 1 [F1(1) The members of each courts board are to be appointed by the Lord Chancellor.
- (2) The Lord Chancellor may appoint a member of a description mentioned in paragraph 2(a) only with the concurrence of the Lord Chief Justice.]

Textual Amendments

F1 Sch. 1 para. 1 substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 15, Sch. 4 para. 350(2); S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(bb)

- 2 Each board must have—
- (a) at least one member who is a judge,
 - (b) at least two members who are lay justices, each of whom is assigned to a local justice area the whole or a part of which is included in the board's area,
 - (c) at least two other members who are persons appearing to the Lord Chancellor to have appropriate knowledge or experience of the work of the courts in the area for which the board acts, and
 - (d) at least two more members who are persons appearing to the Lord Chancellor to be representative of people living in that area,
- and may have such other members of a description mentioned in sub-paragraphs (a) to (d) as the Lord Chancellor considers appropriate.
- 3 Regulations may make provision in relation to the appointment of members of courts boards, including in particular provision about the procedures to be followed in connection with appointments.

Chairman

- 4 Regulations may make provision as to the selection of one of the members of each courts board to be its chairman.

Tenure of office

- 5 (1) Regulations may make provision as to—
- (a) the term of office of chairmen and members of courts boards;
 - (b) their resignation, suspension or removal.
- (2) Subject to the regulations, a person is to hold and vacate office as a member of a courts board in accordance with the terms of the instrument appointing him.

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Payments in respect of expenses, etc.

- 6 The Lord Chancellor may make such payments to or in respect of members of courts boards by way of reimbursement of expenses, allowances and remuneration as he may determine.

Procedure

- 7 Regulations may make provision about—
- (a) the procedure of courts boards (including quorum);
 - (b) the validation of proceedings in the event of a vacancy among the members of a courts board or a defect in the appointment of a member.

Interpretation

- 8 In this Schedule “regulations” means regulations made by the Lord Chancellor^[F2] after consulting the Lord Chief Justice.]

Textual Amendments

- F2** Words in [Sch. 1 para. 8](#) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 15, [Sch. 4 para. 350\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), [Sch. 1 para. 11\(bb\)](#)

- ^[F3]9 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 this Schedule.]

Textual Amendments

- F3** [Sch. 1 para. 9](#) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 15, [Sch. 4 para. 350\(4\)](#); S.I. 2006/1014, [art. 2\(a\)](#), [Sch. 1 para. 11\(bb\)](#)

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