



Constitutional Reform Act 2005

2005 CHAPTER 4

PART 4

JUDICIAL APPOINTMENTS AND DISCIPLINE

CHAPTER 2

APPOINTMENTS

General provisions

66 **Guidance: supplementary**

- (1) Before issuing any guidance the Lord Chancellor must—
 - (a) consult the Lord Chief Justice;
 - (b) after doing so, lay a draft of the proposed guidance before each House of Parliament.
- (2) If the draft is approved by a resolution of each House of Parliament within the 40-day period the Lord Chancellor must issue the guidance in the form of the draft.
- (3) In any other case the Lord Chancellor must take no further steps in relation to the proposed guidance.
- (4) Subsection (3) does not prevent a new draft of the proposed guidance from being laid before each House of Parliament after consultation with the Lord Chief Justice.
- (5) Guidance comes into force on such date as the Lord Chancellor may appoint by order.
- (6) The Lord Chancellor may—
 - (a) from time to time revise the whole or part of any guidance and re-issue it;
 - (b) after consulting the Lord Chief Justice, by order revoke any guidance.
- (7) In this section—

Status: This is the original version (as it was originally enacted).

“40-day period” in relation to the draft of any proposed guidance means—

- (a) if the draft is laid before one House on a day later than the day on which it is laid before the other House, the period of 40 days beginning with the later day, and
- (b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House,

no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days;

“guidance” means guidance issued by the Lord Chancellor under section 65 and includes guidance which has been revised and re-issued.