

## SCHEDULES

### SCHEDULE 8

#### SUPREME COURT SELECTION COMMISSIONS

##### PART 1

##### MEMBERSHIP

###### *Special rules where President's or Deputy President's place unfilled*

- 3 (1) This paragraph applies if both of the following conditions are met—
- (a) the President's place on a selection commission is unfilled;
  - (b) the Deputy President's place on a selection commission is unfilled.
- (2) The unfilled places on the commission are to be taken by the following persons—
- (a) the most senior ordinary judge of the Supreme Court;
  - (b) the second most senior ordinary judge.
- (3) If neither of the unfilled places on the selection commission is taken in accordance with sub-paragraph (2), the following are to be members of the commission instead—
- (a) the most senior judge of the courts of England and Wales;
  - (b) the most senior judge of the courts of Scotland;
  - (c) the most senior judge of the courts of Northern Ireland.
- (4) If only one of the unfilled places on the selection commission is taken in accordance with sub-paragraph (2), the following are also to be members of the commission—
- (a) the most senior judge of the courts of England and Wales, unless that jurisdiction is already represented;
  - (b) the most senior judge of the courts of Scotland, unless that jurisdiction is already represented;
  - (c) the most senior judge of the courts of Northern Ireland, unless that jurisdiction is already represented.
- (5) For the purposes of sub-paragraph (4) a jurisdiction is already represented if it is the home jurisdiction of the judge who has taken a place on the selection commission in accordance with sub-paragraph (2).
- (6) Any person disqualified under paragraph 5 is to be disregarded in determining the most senior or second most senior judge for the purposes of any provision of this paragraph.