

NORTHERN IRELAND ACT 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 5: Consequential amendments and transitional provision

62. *Part 1* of this Schedule makes a number of amendments in consequence of the transfers effected by Schedule 4.
63. *Part 2* of the Schedule makes transitional provision.
64. *Paragraph 10* provides that, where a person has been selected by the Prime Minister for recommendation as Lord Chief Justice or Lord Justice of Appeal but has not been appointed on commencement of the appointments procedure contained in the Act, the changes to section 12 of the Judicature (Northern Ireland) Act 1978 made by Schedule 2 to this Act do not apply.
65. *Paragraph 11* addresses circumstances in which the removals procedure under section 134 of the Constitutional Reform Act 2005 (*Removal from listed judicial offices*) or section 12B of the Judicature (Northern Ireland) Act 1978 (*Removal from most senior judicial offices*) is initiated but not completed when the removals provisions contained in the Act are commenced, specifying the procedure which shall then apply.
66. *Paragraph 12* addresses circumstances in which the appointments procedure under section 5 of the 2002 Act (*Appointment to listed judicial offices*) is initiated but not completed on commencement of the appointments procedure contained in the Act, specifying the procedure which shall then apply to appointments.
67. *Paragraph 13* makes provision for the investigation of complaints of maladministration in the judicial appointments process alleged to have occurred before the Act comes into force, whether or not complaints have been made before that date.
68. *Paragraph 16* makes provision for the continued effect of transferred functions.