

2009 No. 590

LORD CHANCELLOR

LORD CHIEF JUSTICE

JUDGES

The Discipline of Judges (Designation) Order 2009

<i>Made</i> - - - -	<i>5th March 2009</i>
<i>Laid before Parliament</i>	<i>12th March 2009</i>
<i>Coming into force</i> - -	<i>6th April 2009</i>

The Lord Chancellor makes the following Order in exercise of the powers conferred upon him by section 118(2) of the Constitutional Reform Act 2005^(a) with the agreement of the Lord Chief Justice, the Lord President of the Court of Session and the Lord Chief Justice of Northern Ireland in accordance with sections 118(3), 120(4) and 121(4) respectively of that Act.

Citation and commencement

1. This Order may be cited as the Discipline of Judges (Designation) Order 2009 and shall come into force on 6th April 2009.

Revocation

2. The Discipline of Judges (Designation) Order 2008^(b) is revoked.

Offices designated

3. The following offices are designated for the purpose of section 118 of the Constitutional Reform Act –

(1) offices listed in section 31(3) of the Tribunals, Courts and Enforcement Act 2007^(c), (transferred-in judge, or transferred-in other member, of the First-tier Tribunal or of the Upper Tribunal; deputy judge of the Upper Tribunal);

(2) member of a panel of persons appointed under regulation 8(3)(b) or (c) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004^(d) (lay members of Employment Tribunals);

(a) 2005 c.4.

(b) S.I.2008/2700.

(c) 2007 c.15.

(d) S.I. 2004/1861, amended by S.I. 2008/3240. There are other amending instruments but none is relevant.

(3) Chamber President of a chamber of the First-tier Tribunal or of a chamber of the Upper Tribunal, appointed under section 7(7) of the Tribunals, Courts and Enforcement Act 2007, where the appointment is in accordance with paragraph 2(2) to (5) of Schedule 4 to that Act;

(4) Deputy Chamber President of a chamber of the First-tier Tribunal or of a chamber of the Upper Tribunal, appointed under paragraph 5(1) of Schedule 4 to the Tribunals, Courts and Enforcement Act 2007, where the appointment is in accordance with paragraph 5(5) to (8) of that Schedule.

5th March 2009

Jack Straw
Lord Chancellor

I agree

20th February 2009

Sir Igor Judge, CJ

I agree

24th February 2009

A C Hamilton
Lord President of the Court of Session

I agree

20th February 2009

Brian Kerr
Lord Chief Justice of Northern Ireland

EXPLANATORY NOTE

(This note is not part of the Order)

This order designates certain offices for the purposes of section 118 of the Constitutional Reform Act 2005. This means that those office holders will be subject to the discipline regime set out in Chapter 3 of Part 4 of the Constitutional Reform Act.

This Order replaces the Discipline of Judges (Designation) Order 2008 and adds lay members of Employment Tribunals to the offices originally listed in that Order, thereby designating them as office holders who are subject to the discipline regime set out in the Constitutional Reform Act.

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STATUTORY INSTRUMENTS

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