
STATUTORY INSTRUMENTS

2013 No. 2192

The Judicial Appointments Regulations 2013

PART 6

Selection of puisne judges and other office holders

Duty to identify persons for future requests

36.—(1) Where section 94(1)(1) applies, the Commission must, when seeking to identify persons, in particular have regard to—

- (a) the number of recommendations and appointments for which the Lord Chancellor expects to request selections;
- (b) the power of the appropriate authority to reject or require reconsideration of a selection.

(2) Where the Lord Chancellor gives the Commission a notice as part of the process of identifying persons under section 94(1), the Commission must consult a person or persons other than the appropriate authority, with experience in the office or offices to which a request specified in the notice under section 94(1) relates, or with other relevant experience.

(3) Paragraph (2) does not apply where the chairman of the Commission and the appropriate authority agree that consultation is not required.

(4) The Commission must submit a report to the Lord Chancellor and the appropriate authority (where the appropriate authority is not the Lord Chancellor) containing any information which it considers appropriate about —

- (a) the extent to which it has identified suitable persons; and
- (b) other matters likely to assist the appropriate authority in exercising their functions relating to appointments and recommendations.

(5) A report under paragraph (4) must—

- (a) state any recommendation made in consultation under paragraph (2) by a person consulted;
- (b) give reasons in any case where the Commission has not followed such a recommendation.

(6) Where the Lord Chancellor makes a request for the purposes of which the Commission has identified persons under section 94(1), the Commission must, in determining the selection process to be applied, consider whether selection should be among those persons.