

**2015 No. 329 (L. 2)**

**REPRESENTATION OF THE PEOPLE**  
**SENIOR COURTS OF ENGLAND AND WALES**

**The Election Judges Rota Rules 2015**

<i>Made</i> - - - -	<i>18th February 2015</i>
<i>Laid before Parliament</i>	<i>23rd February 2015</i>
<i>Coming into force</i> - -	<i>20th March 2015</i>

The Civil Procedure Rule Committee, being the authority for the time being having power to make rules of court in relation to the Senior Courts, makes the following Rules in exercise of the power conferred by section 142(1) of the Senior Courts Act 1981(a).

**Citation and commencement**

1. These Rules may be cited as the Election Judges Rota Rules 2015 and come into force on 20th March 2015.

**Placing of judges on rota for trial of election petitions**

2.—(1) Every year on 1st January, or as soon thereafter as practicable, at least four judges from among the judges of the Queen’s Bench Division of the High Court who meet the requirements of section 142 of the Senior Courts Act 1981 (referred to in these Rules as “election judges”) shall be placed on the rota for the trial of parliamentary election petitions in England and Wales under Part III of the Representation of the People Act 1983(b).

(2) An election judge—

- (a) shall remain on the rota until 31st December of the year in which that judge was placed on the rota, subject to paragraph (4); and
- (b) is eligible to be placed on the rota again in the succeeding or any subsequent year (unless that judge otherwise ceases to be eligible for any reason).

(3) The judges to be placed on the rota shall be nominated by the President of the Queen’s Bench Division.

(4) If any election judge ceases to be eligible to be placed on the rota during the year after being placed on the rota, the President of the Queen’s Bench Division shall nominate a judge of the Queen’s Bench Division to be placed on the rota for the remainder of that year in place of the ineligible judge.

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(a) 1981 c.54. Section 142(1) was amended by the Representation of the People Act 1983 (c.2), section 206, Schedule 8, paragraph 26.  
(b) 1983 c.2.

(5) The President of the Queen’s Bench Division may, after consulting the Lord Chief Justice, nominate such number of judges greater than four as the President of the Queen’s Bench Division considers appropriate to facilitate the more convenient administration and trial of election petitions, and in that event the greater number of judges shall be placed on the rota.

(6) Any judge placed on the rota before these Rules come into force shall remain on the rota until 31st December 2015.

*The Right Honourable Lord Dyson, MR  
Stephen Richards, LJ  
Mr Justice Birss  
Mr Justice Coulson  
Master Roberts  
His Honour Judge Martin McKenna  
District Judge Michael Hovington  
District Judge Christopher Lethem  
Nicholas Bacon QC  
Richard Viney  
Amanda Stevens  
Andrew Underwood  
Tim Lett  
Kate Wellington*

I allow these Rules  
Signed by the authority of the Lord Chancellor

18th February 2015

*Edward Faulks*  
Minister of State  
Ministry of Justice

#### **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

Part III of the Representation of the People Act 1983 (“the 1983 Act”) makes provision for legal proceedings in relation to elections, including the trial of parliamentary election petitions. Under section 123 of the 1983 Act, a parliamentary election petition is in England and Wales to be tried by two judges on the rota for the trial of parliamentary election petitions. Section 142 of the Senior Courts Act 1981 provides for the judges to be placed on the rota for the trial of parliamentary election petitions in England and Wales under Part III of the 1983 Act to be selected from the judges of the Queen’s Bench Division of the High Court exclusive of any who are members of the House of Lords (the section takes no account of whether they are members who are disqualified from sitting or voting in the House of Lords by virtue of their judicial office), in such manner as may be provided by rules of court.

These Rules make provision for the manner of selection of judges for the rota, which is by nomination by the President of the Queen’s Bench Division for a year at a time, with nominated judges being placed on the rota on 1st January each year and ceasing to be on the rota on 31st December. Any judges already on the rota when these Rules come into force will continue to be on the rota until 31st December 2015.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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