
Changes to legislation: Constitutional Reform Act 2005, Cross Heading: *The process is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 2

POWERS TO GIVE DIRECTIONS

PART 1

THE PROCESS

The process

- 2 (1) It is for the Lord Chief Justice, or a judicial office holder nominated by the Lord Chief Justice with the agreement of the Lord Chancellor, to make or give designated directions.
- (2) The Lord Chief Justice may nominate a judicial office holder in accordance with sub-paragraph (1)—
- (a) to make or give designated directions generally, or
 - (b) to make or give designated directions under a particular enactment.
- (3) In this Part—
- (a) “judicial office holder” has the same meaning as in section 109(4);
 - (b) references to the Lord Chief Justice's nominee, in relation to designated directions, mean a judicial office holder nominated by the Lord Chief Justice under sub-paragraph (1) to make or give those directions.
- 3 (1) The Lord Chief Justice, or his nominee, may make or give designated directions only with the agreement of the Lord Chancellor.
- (2) Sub-paragraph (1) does not apply to designated directions to the extent that they consist of guidance about any of the following—
- (a) the application or interpretation of the law;
 - (b) the making of judicial decisions.
- (3) Sub-paragraph (1) does not apply to designated directions to the extent that they consist of criteria for determining which judges may be allocated to hear particular categories of case; but the directions may, to that extent, be made or given only after consulting the Lord Chancellor.
- (4) If sub-paragraph (1) applies but the Lord Chancellor does not agree designated directions made or given by the Lord Chief Justice, or by his nominee, the Lord Chancellor must give that person written reasons why he does not agree the directions.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 132(4A) words substituted by [2015 c. 2 s. 83\(1\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(2\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(3\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(4\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(6\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(8\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(9\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(10\)\(a\)](#)
- Sch. 7 para. 4Pt. A words substituted by [2007 c. 15 s. 144\(10\)\(b\)](#)