
STATUTORY INSTRUMENTS

2013 No. 2192

The Judicial Appointments Regulations 2013

PART 7

Effect of acceptance of selection

38.—(1) Before exercising a power to make an appointment or recommendation, the Lord Chancellor, the Lord Chief Justice or the Senior President of Tribunals as the case may be may make arrangements—

- (a) for any assessment of the health of the person selected as considered appropriate; and
- (b) for a report of the assessment to be made to the Lord Chancellor, the Lord Chief Justice or the Senior President of Tribunals as the case may be.

(2) Paragraph (3) applies in any of the following circumstances—

- (a) the Lord Chancellor, the Lord Chief Justice or the Senior President of Tribunals as the case may be notifies the Commission that he or she is not satisfied on the basis of a report under paragraph (1), having consulted the appropriate authority (where different from the person making the appointment or recommendation), that the health of the person selected is satisfactory for the purposes of the appointment or recommendation;
- (b) the person selected declines to be appointed or recommended, or does not agree within a time specified to him or her for that purpose;
- (c) the person selected is otherwise not available within a reasonable time to be appointed or recommended.

(3) Where this paragraph applies—

- (a) the selection accepted and any previous selection for the same appointment or recommendation are to be disregarded;
- (b) the request pursuant to which the selection was made continues to have effect; and
- (c) any subsequent selection pursuant to that request may be made in accordance with the same or a different selection process.