Lady Chief Justice
of England and Wales

Delegation of Statutory Functions – Issue No. 1 of 2026

Introduction

The Lady Chief Justice has a number of statutory functions, the exercise of which may be delegated to a nominated judicial office holder (as defined by section 109(4) of the Constitutional Reform Act 2005 (the 2005 Act). This document sets out which judicial office holder has been nominated to exercise specific delegable statutory functions.

Section 109(4) of the 2005 Act defines a judicial office holder as either a senior judge or the holder of an office listed in schedule 14 to that Act. A senior judge, as defined by s109(5) of the 2005 Act, means any of the following judges: the Master of the Rolls; the President of the King's Bench Division; the President of the Family Division; the President of the Business and Property Division; the Senior President of Tribunals; the President of Welsh Tribunals; a Lord or Lady Justice of Appeal; or a puisne judge of the High Court.

Only the nominated judicial office holder to whom a function is delegated may exercise it. Exercise of the delegated functions cannot be sub-delegated. The nominated judicial office holder may however seek the advice and support of others in the exercise of the delegated functions.

Where delegations are referred to as being delegated prospectively[1], the delegation takes effect when the substantive statutory provision enters into force.

The statutory references and extracts in this schedule have been checked against the revised legislation available on legislation.gov.uk as of 1 October 2026. Some extracts are abridged. Prospective provisions are identified expressly.

[1] See Interpretation Act 1978, section 13.

Contents

Delegations in force	Page
Master of the Rolls	5
President of the King's Bench Division	21
President of the Family Division	37
President of the Court of Protection	66
President of the Business and Property Division	74
Senior Presiding Judge	107
Senior President of Tribunals	133
Vice-President of the Court of Appeal (Criminal Division)	146
The senior of the Presiding Judges for the Circuits of the Bar of England and Wales	147
Senior Presiding Judge for Wales	151
Judge in charge of the Technology and Construction Court (TCC)	152
Deputy Head of Civil Justice	154
Magistrates' disciplinary matters	156
President of Welsh Tribunals	157
Resident Judges	159
Designated Civil Judges for Northampton and Leicester Trial Centre and for Greater Manchester	161

Delegation to the Designated Civil Judge: Online 163
Registrar of Criminal Appeals 165
HMCTS Heads of Legal Operations 167
HMCTS Head of Legal and Professional Services 173

Delegation to the Master of the Rolls

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Senior Courts Act 1981, section 9(1) (as amended) in respect of the power to appoint a person in entry 4A	**Section 9 (Assistance for transaction of judicial business)** **(1)** A person within any entry in column 1 of the following Table may, subject to the proviso at the end of that Table, at any time, **at the request of the appropriate authority,** act— (a) as a judge of a relevant court specified in the request; or (b) if the request relates to a particular division of a relevant court so specified, as a judge of that court in that division. (The following sets out the information in the Table referred to in s9(1)) Entry 1: A judge of the Court of Appeal – competent to act in the High Court and the Crown Court. Entry 3: A puisne judge of the High Court – competent to act in the Court of Appeal. Entry 4A: The Senior President of Tribunals – competent to act in the Court of Appeal and the	The provision sets out the power to deploy certain judges to act as judges of specified courts. The Master of the Rolls is the LCJ's nominee for authorisations to act as a judge of the Court of Appeal (Civil Division) under entry 4A of the Table in section 9(1). This authorisation power may only be exercised following consultation with the LC.	Delegation of the authorisation power in respect of entry 4A **in force from** 14 December 2015.

	High Court. Entry 5: A Circuit judge – competent to act in the High Court and the Court of Appeal. Entry 6: A Recorder or a person within subsection (1ZB) – competent to act in the High Court. The entry in column 2 specifying the Court of Appeal in relation to a Circuit judge only authorises such a judge to act as a judge of a court in the criminal division of the Court of Appeal. (1ZA) The Senior President of Tribunals is to be treated as not being within any entry in column 1 of the Table other than entry 4A. (1ZB) A person is within this subsection if the person— (a) is a Chamber President, or a Deputy Chamber President, of a chamber of the Upper Tribunal or of a chamber of the First-tier Tribunal, (b) is a judge of the Upper Tribunal by virtue of appointment under paragraph 1(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007, (c) is a transferred-in judge of the Upper Tribunal (see section 31(2) of that Act), (d) is a deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act), or (e) is the President of Employment Tribunals (England and Wales) or the President of Employment Tribunals (Scotland). (1A) A person shall not act as a judge by virtue of		

	subsection (1) after the day on which he attains the age of 75. **(2)** In subsection (1)— "the appropriate authority" means– (a) **the Lord Chief Justice or a judicial office holder** (as defined in section 109(4) of the Constitutional Reform Act 2005) nominated by him to exercise his functions under this section, or (b) at any time when the Lord Chief Justice or the nominated judicial office holder is unable to make such a request himself, or there is a vacancy in the office of Lord Chief Justice, the Master of the Rolls; "relevant court", in the case of a person within any entry in column 1 of the Table, means a court specified in relation to that entry in column 2 of the Table. (2A) The power of the appropriate authority to make a request under subsection (1) is subject to subsections (2B) to (2D). (2B) The appropriate authority may make the request only after consulting the Lord Chancellor. (2C) … (2CA) In the case of a request to a person within entry 5 or 6 in column 1 of the Table to act as a judge of the High Court, the appropriate authority may make the request only if the person is a member of the pool for requests under		

	subsection (1) to persons within that entry. (2D) In the case of a request to a Circuit judge to act as a judge of the Court of Appeal, the appropriate authority may make the request only with the concurrence of the Judicial Appointments Commission. (3) The person to whom a request is made under subsection (1) must comply with the request, but this does not apply to— (a) … (b) … (c) a request made to the Senior President of Tribunals if the holder of that office is a judge of the Court of Session or of the High Court, or Court of Appeal, in Northern Ireland. (4) Without prejudice to section 24 of the Courts Act 1971 (temporary appointment of deputy Circuit judges, if it appears to the Lord Chief Justice, after consulting the Lord Chancellor, that it is expedient as a temporary measure to make an appointment under this subsection in order to facilitate the disposal of business in the High Court or the Crown Court or any other court or tribunal to which persons appointed under this subsection may be deployed, he may appoint a person qualified for appointment as a puisne judge of the High Court to be a deputy judge of the High Court during such period or on such occasions as the Lord Chief Justice may, after consulting the Lord Chancellor, think fit; and during the period or on the occasions for which a person is appointed as a deputy judge under this subsection, he may act as a puisne judge of the High Court. (4A) No appointment of a person as a deputy judge of the		

	High Court shall be such as to extend beyond the day on which he attains the age of 75. (5) Every person while acting under this section shall, subject to subsections (6) and (6A), be treated for all purposes as, and accordingly may perform any of the functions of, a judge of the court in which he is acting. (6) A person shall not by virtue of subsection (5)— (a) be treated as a judge of the court in which he is acting for the purposes of section 98(2) or of any statutory provision relating to— (i) the appointment, retirement, removal or disqualification of judges of that court; (ii) the tenure of office and oaths to be taken by such judges; or (iii) the remuneration, allowances or pensions of such judges; or (b) subject to section 27 of the Judicial Pensions and Retirement Act 1993, be treated as having been a judge of a court in which he has acted only under this section. (6A) A Circuit judge, Recorder or person within subsection (1ZB) shall not by virtue of subsection (5) exercise any of the powers conferred on a single judge by sections 31, 31B, 31C and 44 of the Criminal Appeal Act 1968 (powers of single judge in connection with appeals to the Court of Appeal and appeals from the Court of Appeal to the Supreme Court. (7) …		

	(8) Such remuneration and allowances as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine may be paid out of money provided by Parliament— (a) … (b) to any deputy judge of the High Court appointed under subsection (4). (8A) A person may be removed from office as a deputy judge of the High Court— (a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment. (8B) Subject to the preceding provisions of this section, a person appointed under subsection (4) is to hold and vacate office as a deputy judge of the High Court in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. (9) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005 to exercise functions of the Lord Chief Justice under this section.		

Senior Courts Act 1981 section 99(1) (as amended)	**Section 99 (District registries)** **(1)** The Lord Chancellor may, **after consulting** the Lord Chief Justice, by order direct that there shall be district registries of the High Court at such places and for such districts as are specified in the order. (2) Any order under this section shall be made by statutory instrument, which shall be laid before Parliament after being made. (3) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.	The provision requires the LC to consult the LCJ or nominee prior to establishing the location of High Court district registries.	Delegation **in force from** April 2006.
County Courts Act 1984, section 61(1) as amended	**Section 61 (Right of audience by direction of Lord Chancellor)** **(1)** The Lord Chancellor may, with the **concurrence** of the Lord Chief Justice, at any time direct that such categories of persons in relevant legal employment as may be specified in the direction may address the court in any proceedings in [the county court, or in proceedings in the county court of such description as may be so specified. (2) In subsection (1), "relevant legal employment" means employment which consists of or includes giving assistance in the conduct of litigation to a legal representative whether in private practice or not. (3) A direction under this section may be given subject to such conditions and restrictions as appear to the Lord Chancellor to be necessary or expedient, and may be expressed to have effect as respects every place where the county court sits or as respects one or more specified places	The provision enables the LC, with the concurrence of the LCJ or nominee to extend rights of audience, in specified circumstances, in the County Court. The MR is the LCJ's nominee in respect of the County Court.	Delegation **in force** from 14 December 2015.

	where the county court sits. (3A) Subsections (1) to (3) apply in relation to the family court as they apply in relation to the county court. (4) The power to give directions conferred by this section includes a power to vary or rescind any direction given under this section. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Civil Procedure Act 1997, Section 2(1A), 2(3) and 2(4) (as amended)	**Section 2 (Rule Committee)** (1) Civil Procedure Rules are to be made by a committee known as the Civil Procedure Rule Committee, which is to consist of the following persons– (a) the Head of Civil Justice; (b) the Deputy Head of Civil Justice (if there is one); (c) the persons currently appointed in accordance with subsections (1A) and (1B). **(1A)** The Lord Chief Justice **must appoint** the persons falling within paragraphs (a) to (d) of subsection (2). (1B) The Lord Chancellor must appoint the persons falling within paragraphs (e) to (g) of subsection (2). (2) [The persons to be appointed in accordance with subsections (1A) and (1B) are —	The provision provides the LCJ, or nominee, following consultation with the LC, to appoint certain persons to the Civil Procedure Rule Committee. It further provides that the LC shall consult the LCJ, or nominee, prior to appointing certain other persons to the Civil Procedure Rule Committee.	Delegation **in force from** April 2006.

	(a) either two or three judges of the Senior Courts, (b) one Circuit judge, (c) either one or two district judges, (ca) one person who is a judge of the Senior Courts, a Circuit judge or a district judge and who has particular experience of the law applicable in Wales, (d) one person who is a Master referred to in Part II of Schedule 2 to the Senior Courts Act 1981. (e) three persons who have a Senior Courts qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990), including at least one with particular experience of practice in the county court, (f) three persons who have been authorised by a relevant approved regulator to conduct litigation in relation to all proceedings in the Senior Courts, including at least one with particular experience of practice in the county court, and (g) two persons with experience in and knowledge of the lay advice sector or consumer affairs. (2A) In subsection (2)(f) "relevant approved regulator" is to be construed in accordance with section 20(3) of the Legal Services Act 2007. **(3)** Before appointing a person in accordance with subsection (1A), the Lord Chief Justice **must consult** the Lord Chancellor. **(4)** Before appointing a person in accordance with subsection (1B), the Lord Chancellor **must consult** the Lord Chief Justice and, if the person falls within paragraph (e) or (f) of subsection (2), must also consult any body		

	which— (a) has members who are eligible for appointment under that paragraph, and (b) is an authorised body for the purposes of section 27 or 28 of the Courts and Legal Services Act 1990. (5) . . . (6) . . . (7) . . . (8) . . . (9) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section. (9) . . .[2]		
Civil Procedure Act 1997, Section 4(1) & 4(2) (as amended)	**Section 4 (Power to make consequential amendments)** (1) The Lord Chancellor may, **after consulting** the Lord Chief Justice, by order amend, repeal or revoke any enactment to the extent he considers necessary or desirable in consequence of— (a) section 1 or 2, or (b) Civil Procedure Rules. **(2)** The Lord Chancellor may, **after consulting** the Lord Chief Justice, by order amend, repeal or revoke any	The provision provides the LC, after consulting the LCJ or nominee, with power to amend, repeal or revoke any statutory provision in order to facilitate the making of Civil Procedure Rules.	Delegation **in force from** April 2006.

[2] NB: due to a drafting error in the Constitutional Reform Act 2005, Schedule 4, which amended section 2 of the Civil Procedure Act 1997, there are two sub-sections 2(9).

	enactment passed or made before the commencement of this section to the extent he considers necessary or desirable in order to facilitate the making of Civil Procedure Rules. (3) Any power to make an order under this section is exercisable by statutory instrument. (4) A statutory instrument containing an order under subsection (1) shall be subject to annulment in pursuance of a resolution of either House of Parliament. (5) No order may be made under subsection (2) unless a draft of it has been laid before and approved by resolution of each House of Parliament. (6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1) or (2).		
Civil Procedure Act 1997, Section 5(1) (as amended)	**Section 5 (Practice directions)** **(1)** Practice directions may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005. **(2)** Practice directions given otherwise than under subsection (1) may not be given without the approval of– (a) the Lord Chancellor, and (b) the Lord Chief Justice. (3) Practice directions (whether given under subsection (1) or otherwise) may provide for any matter which, by virtue of paragraph 3 of Schedule 1, may be provided for by Civil Procedure Rules.	The provision provides the LCJ or nominee to issue Practice Directions for the civil courts.	The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, Schedule 2, part 1, paragraph 2(2), which requires the LC's agreement to the LCJ's choice of nominee. Delegation **in force from** April 2006. The powers in section 5(2)(b) and 6(b) cannot be delegated. From **April 2006 until 22 February 2010** the delegation applied without limit.

	(4) The power to give practice directions under subsection (1) includes power– (a) to vary or revoke directions given by any person; (b) to give directions containing different provision for different cases (including different areas); (c) to give directions containing provision for a specific court, for specific proceedings or for a specific jurisdiction. (5) Subsection (2)(a) does not apply to 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. (6) Subsection (2)(a) does not apply to 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 given only– (a) after consulting the Lord Chancellor, and (b) with the approval of the Lord Chief Justice.		**From 22 February 2010** the delegation to the MR applies to the power to make Practice Directions for the civil courts, **except in relation to the following** (in respect of which the power is delegated to the President of the Business and Property Division): (a) The making of Practice Directions which supplement the Rules for the time being in force under s.411-413 of the Insolvency Act 1986; (b) The making of Practice Directions which supplement the Rules for the time being in force under s.411 of the Insolvency Act 1986 in relation to disqualification proceedings. At present, these are the Insolvent Companies (Disqualification of Unfit Directors) Proceedings Rules 1987; (c) The making of Practice Directions which supplement the Rules for the time being in force under s411 – 413 of the Insolvency Act 1986. At the present, these are the Bank Insolvency (England and Wales) Rules 2009; (d) The making of Practice Directions which supplement the Rules for the time being in force under s411 – 413 of the Insolvency Act 1986. At the

			present, these are the Bank Administration (England and Wales) Rules 2009; and (e) The making of Practice Directions which supplement the Rules for the time being in force under s411 – 413 of the Insolvency Act 1986. At the present, these are the Building Societies (Insolvency and Special Administration) Order 2009,
Civil Procedure Act 1997, Section 6(2B) (as amended)	**Section 6 (Civil Justice Council)** (1) The Lord Chancellor is to establish and maintain an advisory body, to be known as the Civil Justice Council. (2) The Council must include— (a) members of the judiciary, (b) members of the legal professions, (c) civil servants concerned with the administration of the courts, (d) persons with experience in and knowledge of consumer affairs, (e) persons with experience in and knowledge of the lay advice sector, and (f) persons able to represent the interests of particular kinds of litigants (for example, businesses or employees). (2A) The Lord Chancellor must decide the following questions, after consulting the Lord Chief Justice– (a) how many members of the Council are to be drawn from each of the groups mentioned in subsection (2); (b) how many other members the Council is to	The provision provides the LCJ or nominee power to appoint judicial members of the Civil Justice Council.	Delegation **in force from** April 2006.

	have. **(2B)** It is for– (a) the Lord Chief Justice to appoint members of the judiciary to the Council, after consulting the Lord Chancellor; (b) the Lord Chancellor to appoint other persons to the Council. (3) The functions of the Council are to include— (a) keeping the civil justice system under review, (b) considering how to make the civil justice system more accessible, fair and efficient, (c) advising the Lord Chancellor and the judiciary on the development of the civil justice system, (d) referring proposals for changes in the civil justice system to the Lord Chancellor and the Civil Procedure Rule Committee, and (e) making proposals for research. (4) The Lord Chancellor may reimburse the members of the Council their travelling and out-of-pocket expenses. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who— (a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience.	The provision provides that the LCJ or nominee may authorise a HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to authorise such judicial functions as are provided for in rules of court. The Master of the Rolls is the LCJ's delegate in respect of authorisations under the Civil Procedure Rules, except for the following:	Delegation **in force from** 6 April 2020.

	(2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice. (3) Such a person is referred to in this Part as an "authorised person". (4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.	• authorisations under CPR Pt 2; • authorisations under CPR r.54.1A; • authorisations under CPR Pt 73.	
Judicial Review and Courts Act	**Paragraph 3 (Giving practice directions)**	The provision, and Part 1 of Schedule 2 to the Constitutional Reform Act 2005,	Delegation **in force from** 23 July 2026

2022, Schedule 3 paragraph 3	(1) Practice directions under paragraph 1 may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005. (2) Practice directions under paragraph 1 may be given otherwise than in accordance with that Part of that Schedule; but, in this case, the directions may not be given without the approval of— (a) the Lord Chancellor, and (b) the Lord Chief Justice. (3) Sub-paragraph (2)(a) does not require the approval of the Lord Chancellor for practice directions to the extent that they consist of guidance about— (a) the application or interpretation of the law; (b) the making of judicial decisions. (4) Sub-paragraph (2)(a) does not require the approval of the Lord Chancellor for practice 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 given only after consultation with the Lord Chancellor (as well as with the approval of the Lord Chief Justice required by sub-paragraph (2)(b)).	provides that the LCJ or nominee may issue Practice Directions in relation to civil proceedings and family proceedings in England and Wales that are governed by Online Procedure Rules. The Master of the Rolls is the LCJ's nominee to issue Practice Directions in relation to civil proceedings that are governed by Online Procedure Rules.	

Delegation to the President of the King's Bench Division

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Courts Act 1971, section 21(4) and 21(4C), as amended	**Section 21 (appointment of Recorders)** (1) … (2) … (3) The appointment of a person as a Recorder shall specify the following— (a) the term for which he is appointed; (b) the frequency and duration of the occasions during that term on which he will be required to be available to undertake the duties of a Recorder; (c) the circumstances in which the Lord Chancellor may— (i) decline to extend the term of the appointment, or (ii) terminate the appointment, (other than those in subsection (4C)(a) or (b) and subsection (6)(a) or (b)). (4) Circumstances may be specified under subsection (3)(c) in an appointment **only if the Lord Chief Justice agrees**. (4A) … (4B) … (4C) The Lord Chancellor may, **with the agreement of the**	The provision requires the LC to obtain the consent of the LCJ or nominee before specifying the circumstances when a Recorder's appointment may not be extended or may be terminated. It further requires the LC to obtain the consent of the LCJ or nominee to decline to extend the term of a Recorder's appointment.	Delegation **in force** from 14 December 2015.

	Lord Chief Justice, decline to extend the term of a Recorder's appointment on any of these grounds— (a) the incapacity or misbehaviour of the Recorder; (b) a failure of the Recorder to comply with any requirement specified under subsection (3)(b) in the terms of his appointment; (c) one or more of the circumstances specified under subsection (3)(c) in his appointment applies.		
Senior Courts Act 1981, section 9(1) (as amended) in respect of the power to appoint persons in entries 4A, 5 and 6.	**Section 9 (Assistance for transaction of judicial business)** **(1)** A person within any entry in column 1 of the following Table may, subject to the proviso at the end of that Table, at any time, **at the request of the appropriate authority,** act— (a) as a judge of a relevant court specified in the request; or (b) if the request relates to a particular division of a relevant court so specified, as a judge of that court in that division. (The following sets out the information in the Table referred to in s9(1)) Entry 1: A judge of the Court of Appeal – competent to act in the High Court and the Crown Court. Entry 3: A puisne judge of the High Court – competent to act in the Court of Appeal. Entry 4A: The Senior President of Tribunals – competent to act in the Court of Appeal and the	Section 9 provides the power to deploy certain judges to act as judges of specified courts. It also provides the power to appoint deputy judges of the High Court. The PKBD is the LCJ's nominee for authorising a person in **entry 4A, 5 or 6** of Table 1 of section 9(1) to act as a judge of the King's Bench Division of the High Court. This authorisation power may only be exercised following consultation with the LC.	Delegation of the power to authorise persons within entries 5 and 6 of Table 1 of s.9(1) and of the power under s.9(4) **in force from** October 2008. Delegation of the power to authorise persons within entry 4A of Table 1 of s.9(1) **in force from** 14 December 2015.

	High Court. Entry 5: A Circuit judge – competent to act in the High Court and the Court of Appeal. Entry 6: A Recorder or a person within subsection (1ZB) – competent to act in the High Court. The entry in column 2 specifying the Court of Appeal in relation to a Circuit judge only authorises such a judge to act as a judge of a court in the criminal division of the Court of Appeal. (1ZA) The Senior President of Tribunals is to be treated as not being within any entry in column 1 of the Table other than entry 4A. (1ZB) A person is within this subsection if the person— (a) is a Chamber President, or a Deputy Chamber President, of a chamber of the Upper Tribunal or of a chamber of the First-tier Tribunal, (b) is a judge of the Upper Tribunal by virtue of appointment under paragraph 1(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007, (c) is a transferred-in judge of the Upper Tribunal (see section 31(2) of that Act), (d) is a deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act), or (e) is the President of Employment Tribunals (England and Wales) or the President of Employment Tribunals (Scotland). (1A) A person shall not act as a judge by virtue of		

	subsection (1) after the day on which he attains the age of 75. **(2)** In subsection (1)— "the appropriate authority" means– (a) **the Lord Chief Justice or a judicial office holder** (as defined in section 109(4) of the Constitutional Reform Act 2005) nominated by him to exercise his functions under this section, or (b) at any time when the Lord Chief Justice or the nominated judicial office holder is unable to make such a request himself, or there is a vacancy in the office of Lord Chief Justice, the Master of the Rolls; "relevant court", in the case of a person within any entry in column 1 of the Table, means a court specified in relation to that entry in column 2 of the Table. (2A) The power of the appropriate authority to make a request under subsection (1) is subject to subsections (2B) to (2D). (2B) The appropriate authority may make the request only after consulting the Lord Chancellor. (2C) … (2CA) In the case of a request to a person within entry 5 or 6 in column 1 of the Table to act as a judge of the High Court, the appropriate authority may make the request only if the person is a member of the pool for requests under		

	subsection (1) to persons within that entry. (2D) In the case of a request to a Circuit judge to act as a judge of the Court of Appeal, the appropriate authority may make the request only with the concurrence of the Judicial Appointments Commission. (3) The person to whom a request is made under subsection (1) must comply with the request, but this does not apply to— (a) … (b) … (c) a request made to the Senior President of Tribunals if the holder of that office is a judge of the Court of Session or of the High Court, or Court of Appeal, in Northern Ireland. (4) Without prejudice to section 24 of the Courts Act 1971 (temporary appointment of deputy Circuit judges, if it appears to the Lord Chief Justice, after consulting the Lord Chancellor, that it is expedient as a temporary measure to make an appointment under this subsection in order to facilitate the disposal of business in the High Court or the Crown Court or any other court or tribunal to which persons appointed under this subsection may be deployed, he may appoint a person qualified for appointment as a puisne judge of the High Court to be a deputy judge of the High Court during such period or on such occasions as the Lord Chief Justice may, after consulting the Lord Chancellor, think fit; and during the period or on the occasions for which a person is appointed as a deputy judge under this subsection, he may act as a puisne judge of the High Court. (4A) No appointment of a person as a deputy judge of the		

	High Court shall be such as to extend beyond the day on which he attains the age of 75. (5) Every person while acting under this section shall, subject to subsections (6) and (6A), be treated for all purposes as, and accordingly may perform any of the functions of, a judge of the court in which he is acting. (6) A person shall not by virtue of subsection (5)— (a) be treated as a judge of the court in which he is acting for the purposes of section 98(2) or of any statutory provision relating to— (i) the appointment, retirement, removal or disqualification of judges of that court; (ii) the tenure of office and oaths to be taken by such judges; or (iii) the remuneration, allowances or pensions of such judges; or (b) subject to section 27 of the Judicial Pensions and Retirement Act 1993, be treated as having been a judge of a court in which he has acted only under this section. (6A) A Circuit judge, Recorder or person within subsection (1ZB) shall not by virtue of subsection (5) exercise any of the powers conferred on a single judge by sections 31, 31B, 31C and 44 of the Criminal Appeal Act 1968 (powers of single judge in connection with appeals to the Court of Appeal and appeals from the Court of Appeal to the Supreme Court. (7) …		

	(8) Such remuneration and allowances as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine may be paid out of money provided by Parliament— (a) … (b) to any deputy judge of the High Court appointed under subsection (4). (8A) A person may be removed from office as a deputy judge of the High Court— (a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment. (8B) Subject to the preceding provisions of this section, a person appointed under subsection (4) is to hold and vacate office as a deputy judge of the High Court in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. (9) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005 to exercise functions of the Lord Chief Justice under this section.		

Senior Courts Act 1981, section 91(1), s91(6A), s91(6C) (as amended)	**Section 91 (Deputies and temporary appointments)** **(1)** If it appears to the Lord Chief Justice that it is expedient to do so in order to facilitate the disposal of business in the Senior Courts or any other court or tribunal to which a person appointed under this subsection may be deployed, he **may appoint** a person— (a) to act as a deputy for any person holding an office listed in column 1 of Part II of Schedule 2[3]; or (b) to act as a temporary additional officer in any such office, during such period or on such occasions as the Lord Chancellor may think fit. (1ZA) The Lord Chief Justice may not appoint a holder of relevant office under subsection (1) without the concurrence of the Lord Chancellor. (1ZB) Section 85 of the Constitutional Reform Act 2005 (selection of certain office holders) does not apply to an appointment to which subsection (1ZA) applies. (1ZC) In this section a "holder of relevant office" means a person who holds – (a) any office listed in column 1 of Part 2 or 3 of Schedule 2, or	This provision provides the LCJ or nominee with power to **appoint deputy or temporary Masters** and **Registrars of the High Court who** may then sit during such time as the LC sees fit. The power can be exercised in two ways. If the LCJ or nominee seeks to appoint a holder of a relevant office, the appointment may only be made with the LC's concurrence. If the LCJ or nominee wants to appoint a person who is not a holder of a relevant office, the appointment may only be made after a JAC Competition. See Constitutional Reform Act 2005, section 85. The PKBD is the LCJ's nominee to exercise the delegated powers in respect of appointments, extensions of appointments and revocations of appointments to the **KBD**.	Delegation **in force from** 14 December 2015.

[3] Those offices being: Master, King's Bench Division; King's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals; Admiralty Registrar; Master, Business and Property Division; Registrar in Bankruptcy of the High Court; Taxing Master of the Senior Courts; District judge of the principal registry of the Family Division.

	(b) the office of district judge. (1A) If it appears to the Lord Chancellor that it is expedient to do so in order to facilitate the disposal of business in the Senior Courts, he may appoint a person– (a) to act as a deputy for any person holding an office listed in column 1 of Part 3 of Schedule 2; or (b) to act as a temporary additional officer in any such office, during such period or on such occasions as the Lord Chancellor may think fit. (2) A person shall not be qualified for appointment under this section if the office in which he would act by virtue of the appointment is one to which he is not qualified for permanent appointment. (3) … (4) Every person, while acting under this section, shall have all the jurisdiction of a person permanently appointed to the office in which he is acting. (5) … (6) The Lord Chancellor may, out of money provided by Parliament, pay to any person appointed under this section such remuneration and allowances as he may, with the concurrence of the Minister for the Civil Service, determine. **(6A)** A person appointed under subsection (1) may be		

	removed from office— (a) only by the Lord Chancellor with the **agreement** of the Lord Chief Justice, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment. (6B) Subject to subsection (6C), the period of a person's appointment under subsection (1) (including a period already extended under this subsection) must be extended by the Lord Chancellor before its expiry; and for this purpose a person appointed under subsection (1) to act under this section on certain occasions is to be treated as having been appointed for a period that expires when the occasions end. **(6C)** Extension under subsection (6B)— (a) requires the person's agreement, (b) is to be for such period as the Lord Chancellor thinks fit, and (c) may be refused on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment, but only with any **agreement** of the Lord Chief Justice, **or a nominee** of the Lord Chief Justice, that may be required		

	by those terms. (6D) Subject to the preceding provisions of this section (but subject in the first place to the Judicial Pensions and Retirement Act 1993), a person appointed under subsection (1) is to hold and vacate office in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. (7) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005 to exercise his functions under subsection (1) or (6A)(a).		
Tribunals, Courts and Enforcement Act 2007, Schedule 3, paragraph 6(3)	**Paragraph 6 (Certain judges neither appointed under paragraph 1(1) nor transferred into the Upper Tribunal)** (1) In this paragraph "judge by request of the Upper Tribunal" means a person who is a judge of the Upper Tribunal but– (a) is not the Senior President of Tribunals, (b) is not a judge of the Upper Tribunal appointed under paragraph 1(1), (c) is not a transferred-in judge of the Upper Tribunal, (e) is not a deputy judge of the Upper Tribunal, and (f) is not a Chamber President, or Acting Chamber President or Deputy Chamber President, of a chamber of the Upper Tribunal. (2) A judge by request of the Upper Tribunal may act as a judge of the Upper Tribunal only if requested to do so by the Senior President of Tribunals. **(3)** Such a request made to a person who is a judge of the	The provision permits the Senior President of Tribunals, with the concurrence of the LCJ or nominee, to authorise certain categories of judicial office holder to sit as a 'judge by request of the Upper Tribunal. The PKBD is the LCJ's nominee in respect of concurrence to requests for judges of the King's Bench Division to sit as judges of the Upper Tribunal under this provision.	Delegation **in force from** 30 June 2010. The delegation is made under powers given in section 46(2) of the Tribunals, Courts and Enforcement Act 2007.

	Upper Tribunal by virtue of section 5(1)(g) may be made only with– (a) the **concurrence** of the Lord Chief Justice of England and Wales where the person is– (i) an ordinary judge of the Court of Appeal in England and Wales, (ii) a puisne judge of the High Court in England and Wales, (iii) a circuit judge, (iv) a district judge in England and Wales, (v) a District Judge (Magistrates' Courts), (vi) the Master of the Rolls, (vii) the President of the Queen's Bench Division of the High Court of England and Wales, (viii) the President of the Family Division of that court, (ix) the Chancellor of that court, (x) a deputy judge of that court, or (xi) the Judge Advocate General; (b) the concurrence of the Lord President of the Court of Session where the person is– (i) a judge of the Court of Session, or (ii) a sheriff; (c) the concurrence of the Lord Chief Justice of Northern Ireland where the person is– (i) a Lord Justice of Appeal in Northern Ireland, (ii) a puisne judge of the High Court in Northern Ireland, (iii) a county court judge in Northern Ireland, or (iv) a district judge in Northern Ireland. (4) The Lord Chancellor may pay to a judge by request of		

	the Upper Tribunal, or a person who is a judge of the Upper Tribunal by virtue of section 5(1)(d), such amounts (if any) as the Lord Chancellor may determine by way of– (a) remuneration; (b) allowances; (c) expenses.		
Tribunals, Courts and Enforcement Act 2007, Schedule 2, paragraph 6(3)	**Paragraph 6 (Certain judges neither appointed under paragraph 1(1) nor transferred into the First-tier Tribunal)** (1) In this paragraph "judge by request of the First-tier Tribunal" means a person who is a judge of the First-tier Tribunal but who– (a) is not the Senior President of Tribunals, and (b) is not a judge of the First-tier Tribunal appointed under paragraph 1(1), (c) is not a transferred-in judge of the First-tier Tribunal, (d) is not a Chamber President, or Acting Chamber President or Deputy Chamber President, of a chamber of the First-tier Tribunal, (e) is not a judge of the First-tier Tribunal by virtue of section 4(1)(e) (chairman of employment tribunal), [and] 2 (g) is not a judge of the First-tier tribunal by virtue of section 4(2) (criminal injuries compensation adjudicator appointed by the Scottish Ministers). (2) A judge by request of the First-tier Tribunal may act as a judge of the First-tier Tribunal only if requested to do so by the Senior President of Tribunals. **(3)** Such a request made to a person who is a judge of the First-tier Tribunal by virtue of the combination of sections	The provision permits the Senior President of Tribunals, with the concurrence of the LCJ or nominee, to authorise certain categories of judicial office holder to sit as a 'judge by request of the First-tier Tribunal'. The PKBD is the LCJ's nominee in respect of concurrence to requests for judges of the King's Bench Division to sit as judges of the First-tier Tribunal under this provision.	Delegation **in force from** 14 December 2015 The delegation is made under powers given in section 46(2) of the Tribunals, Courts and Enforcement Act 2007.

	4(1)(c) and 5(1)(g) may be made only with– (a) the **concurrence** of the Lord Chief Justice of England and Wales where the person is– (i) an ordinary judge of the Court of Appeal in England and Wales, (ii) a puisne judge of the High Court in England and Wales, (iii) a circuit judge, (iv) a district judge in England and Wales, (v) a District Judge (Magistrates' Courts), (vi) the Master of the Rolls, (vii) the President of the Queen's Bench Division of the High Court of England and Wales, (viii) the President of the Family Division of that court, (ix) the Chancellor of that court, (x) a deputy judge of that court, or (xi) the Judge Advocate General; (b) the concurrence of the Lord President of the Court of Session where the person is– (i) a judge of the Court of Session, or (ii) a sheriff; (c) the concurrence of the Lord Chief Justice of Northern Ireland where the person is– (i) a Lord Justice of Appeal in Northern Ireland, (ii) a puisne judge of the High Court in Northern Ireland, (iii) a county court judge in Northern Ireland, or (iv) a district judge in Northern Ireland. (3A) A request made under sub-paragraph (2) to a person		

	who is a judge of the First-tier Tribunal by virtue of section 4(1)(ca) may be made only with the concurrence of the Lord Chief Justice of England and Wales. (4) Sub-paragraph (5) applies– (a) to a judge by request of the First-tier Tribunal, (b) to a person who is a judge of the First-tier Tribunal by virtue of section 4(1)(e) (chairman of employment tribunal) [.] 6 (5) The Lord Chancellor may pay to a person to whom this sub-paragraph applies such amounts (if any) as the Lord Chancellor may determine by way of– (a) remuneration; (b) allowances; (c) expenses.		
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who— (a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience. (2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice. (3) Such a person is referred to in this Part as an "authorised person".	The provision provides the LCJ or nominee to authorise a judicial office holder or HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to authorise HMCTS staff members to exercise such judicial functions as provided for in rules of court. The PKBD is the LCJ's delegate in respect of authorisations under CPR r.54.1A.	Delegation **in force from** 6 April 2020.

	(4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.		

Delegation to the President of the Family Division

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Trustee Act 1925, section 54 (as amended)	**54 (Jurisdiction in regard to mental patients)** (1) Subject to subsection (2), the Court of Protection may not make an order, or give a direction or authority, in relation to a person who lacks capacity to exercise his functions as trustee, if the High Court may make an order to that effect under this Act. **(2)** Where a person lacks capacity to exercise his functions as a trustee and a deputy is appointed for him by the Court of Protection or an application for the appointment of a deputy has been made but not determined, then, except as respects a trust which is subject to an order for administration made by the High Court, the Court of Protection shall have concurrent jurisdiction with the High Court in relation to— (a) mortgaged property of which [the person concerned has become a trustee merely by reason of the mortgage having been paid off; (b) matters consequent on the making of provision by the Court of Protection for the exercise of a power of appointing trustees or retiring from a trust; (c) matters consequent on the making of provision by the Court of Protection for the carrying out of any contract entered into by the person concerned; (d) property to some interest in which the person concerned is beneficially entitled but which, or	The provision provides the LCJ or nominee to make designated rules in respect of the Court of Protection's jurisdiction as set out in section 2 of the Act.	The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, Schedule 1, part 1, paragraph 2(2), which requires the LC's agreement to the LCJ's choice of nominee. Delegation **in force from** April 2006.

	some interest in which, is held by the person concerned under an express, implied or constructive trust. **(2A)** Rules may be made in accordance with Part 1 of Schedule 1 to the Constitutional Reform Act 2005 with respect to the exercise of the jurisdiction referred to in subsection (2).		
Domestic Proceedings and Magistrates' Courts 1978, Section 2(4) (as amended)	**Section 2 (Powers of court to make orders for financial provision)** (1) Where on an application for an order under this section the applicant satisfies the court of any ground mentioned in section 1 of this Act, the court may, subject to the provisions of this Part of this Act, make any one or more of the following orders, that is to say— (a) an order that the respondent shall make to the applicant such periodical payments, and for such term, as may be specified in the order; (b) an order that the respondent shall pay to the applicant such lump sum as may be so specified; (c) an order that the respondent shall make to the applicant for the benefit of a child of the family to whom the application relates, or to such a child, such periodical payments, and for such term, as may be so specified; (d) an order that the respondent shall pay to the applicant for the benefit of a child of the family to whom the application relates, or to such a child, such lump sum as may be so specified. (2) Without prejudice to the generality of subsection (1)(b) or (d) above, an order under this section for the payment of a lump sum may be made for the purpose of enabling any	The provision gives the LC, following consultation with the LCJ or nominee, power to make Orders concerning the level at which lump sum awards can be made by way of financial provision under the section.	Delegation **in force from** April 2006.

	liability or expenses reasonably incurred in maintaining the applicant, or any child of the family to whom the application relates, before the making of the order to be met. (3) The amount of any lump sum required to be paid by an order under this section shall not exceed £500 or such larger amount as the Lord Chancellor may from time to time by order fix for the purposes of this subsection. **(4)** An order made by the Lord Chancellor under this section– (a) shall be made only after **consultation** with the Lord Chief Justice; (b) shall be made by statutory instrument and be subject to annulment in pursuance of a resolution of either House of Parliament. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Senior Courts Act 1981, section 9(1) (as amended) in respect of the power to appoint persons in entries 4A, 5 and 6.	**Section 9 (Assistance for transaction of judicial business)** **(1)** A person within any entry in column 1 of the following Table may, subject to the proviso at the end of that Table, at any time, **at the request of the appropriate authority,** act— (a) as a judge of a relevant court specified in the request; or (b) if the request relates to a particular division of a relevant court so specified, as a judge of that court in that division.	Section 9 provides the power to deploy certain judges to act as judges of specified courts. It also provides the power to appoint deputy judges of the High Court. The PFD is the LCJ's nominee for authorising a person in **entry 4A, 5 or 6** of Table 1 of section 9(1) to act as a judge of the Family Division of the High Court. This authorisation power may only be exercised following consultation	Delegation in respect of the authorisation power under section 9(1), entries 5 and 6 and section 9(4) **in force from** April 2006. Delegation in respect of the authorisation power under section 1, entry 4A **in force from** 14 December 2015.

	(The following sets out the information in the Table referred to in s9(1)) Entry 1: A judge of the Court of Appeal – competent to act in the High Court and the Crown Court. Entry 3: A puisne judge of the High Court – competent to act in the Court of Appeal. Entry 4A: The Senior President of Tribunals – competent to act in the Court of Appeal and the High Court. Entry 5: A Circuit judge – competent to act in the High Court and the Court of Appeal. Entry 6: A Recorder or a person within subsection (1ZB) – competent to act in the High Court. The entry in column 2 specifying the Court of Appeal in relation to a Circuit judge only authorises such a judge to act as a judge of a court in the criminal division of the Court of Appeal. (1ZA) The Senior President of Tribunals is to be treated as not being within any entry in column 1 of the Table other than entry 4A. (1ZB) A person is within this subsection if the person— (a) is a Chamber President, or a Deputy Chamber President, of a chamber of the Upper Tribunal or of a chamber of the First-tier Tribunal,	with the LC.	

	(b) is a judge of the Upper Tribunal by virtue of appointment under paragraph 1(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007, (c) is a transferred-in judge of the Upper Tribunal (see section 31(2) of that Act), (d) is a deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act), or (e) is the President of Employment Tribunals (England and Wales) or the President of Employment Tribunals (Scotland). (1A) A person shall not act as a judge by virtue of subsection (1) after the day on which he attains the age of 75. **(2)** In subsection (1)— "the appropriate authority" means– (a) **the Lord Chief Justice or a judicial office holder** (as defined in section 109(4) of the Constitutional Reform Act 2005) nominated by him to exercise his functions under this section, or (b) at any time when the Lord Chief Justice or the nominated judicial office holder is unable to make such a request himself, or there is a vacancy in the office of Lord Chief Justice, the Master of the Rolls; "relevant court", in the case of a person within any entry in column 1 of the Table, means a court specified in relation to that entry in column 2 of the Table.		

	(2A) The power of the appropriate authority to make a request under subsection (1) is subject to subsections (2B) to (2D). (2B) The appropriate authority may make the request only after consulting the Lord Chancellor. (2C) … (2CA) In the case of a request to a person within entry 5 or 6 in column 1 of the Table to act as a judge of the High Court, the appropriate authority may make the request only if the person is a member of the pool for requests under subsection (1) to persons within that entry. (2D) In the case of a request to a Circuit judge to act as a judge of the Court of Appeal, the appropriate authority may make the request only with the concurrence of the Judicial Appointments Commission. (3) The person to whom a request is made under subsection (1) must comply with the request, but this does not apply to— (a) … (b) … (c) a request made to the Senior President of Tribunals if the holder of that office is a judge of the Court of Session or of the High Court, or Court of Appeal, in Northern Ireland. (4) Without prejudice to section 24 of the Courts Act 1971 (temporary appointment of deputy Circuit judges, if it appears to the Lord Chief Justice, after consulting the Lord Chancellor, that it is expedient as a temporary measure to		

	make an appointment under this subsection in order to facilitate the disposal of business in the High Court or the Crown Court or any other court or tribunal to which persons appointed under this subsection may be deployed, he may appoint a person qualified for appointment as a puisne judge of the High Court to be a deputy judge of the High Court during such period or on such occasions as the Lord Chief Justice may, after consulting the Lord Chancellor, think fit; and during the period or on the occasions for which a person is appointed as a deputy judge under this subsection, he may act as a puisne judge of the High Court. (4A) No appointment of a person as a deputy judge of the High Court shall be such as to extend beyond the day on which he attains the age of 75. (5) Every person while acting under this section shall, subject to subsections (6) and (6A), be treated for all purposes as, and accordingly may perform any of the functions of, a judge of the court in which he is acting. (6) A person shall not by virtue of subsection (5)— (a) be treated as a judge of the court in which he is acting for the purposes of section 98(2) or of any statutory provision relating to— (i) the appointment, retirement, removal or disqualification of judges of that court; (ii) the tenure of office and oaths to be taken by such judges; or (iii) the remuneration, allowances or pensions of such judges; or (b) subject to section 27 of the Judicial Pensions		

	and Retirement Act 1993, be treated as having been a judge of a court in which he has acted only under this section. (6A) A Circuit judge, Recorder or person within subsection (1ZB) shall not by virtue of subsection (5) exercise any of the powers conferred on a single judge by sections 31, 31B, 31C and 44 of the Criminal Appeal Act 1968 (powers of single judge in connection with appeals to the Court of Appeal and appeals from the Court of Appeal to the Supreme Court. (7) … (8) Such remuneration and allowances as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine may be paid out of money provided by Parliament— (a) … (b) to any deputy judge of the High Court appointed under subsection (4). (8A) A person may be removed from office as a deputy judge of the High Court— (a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment.		

	(8B) Subject to the preceding provisions of this section, a person appointed under subsection (4) is to hold and vacate office as a deputy judge of the High Court in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. (9) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005 to exercise functions of the Lord Chief Justice under this section.		
Senior Courts Act 1981, section 127 (as amended)	**Section 127 (Probate rules)** **(1)** Rules of court (in this Part referred to as "probate rules") may be made in accordance with Part 1 of Schedule 1 to the Constitutional Reform Act 2005 for regulating and prescribing the practice and procedure of the High Court with respect to non-contentious or common form probate business. (2) Without prejudice to the generality of subsection (1), probate rules may make provision for regulating the classes of persons entitled to grants of probate or administration in particular circumstances and the relative priorities of their claims thereto.	The provision provides the LCJ or nominee with power to make rules of court governing the practice and procedure in respect of non-contentious probate (Probate rules).	The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, Schedule 1, part 1, paragraph 2(2), which requires the LC's agreement to the LCJ's choice of nominee. Delegation **in force from** April 2006.
Senior Courts Act 1981, section 136 (as amended)	**Section 136 (Production of documents filed in, or in custody of, Senior Courts)** **(1)** Rules may be made in accordance with Part 1 of Schedule 1 to the Constitutional Reform Act 2005 for providing that, in any case where a document filed in, or in the custody of, any office of the Senior Courts is required to be produced to any court or tribunal (including an umpire or	The provision provides the LCJ or nominee with power to make rules of court governing the production of documents held by the Senior Courts.	The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, Schedule 1, part 1, paragraph 2(2), which requires the LC's agreement to the LCJ's choice of nominee. Delegation **in force from** April 2006.

	arbitrator) sitting elsewhere than at the Royal Courts of Justice— (a) it shall not be necessary for any officer, whether served with a subpoena in that behalf or not, to attend for the purpose of producing the document; but (b) the document may be produced to the court or tribunal by sending it to the court or tribunal, in the manner prescribed in the rules, together with a certificate, in the form so prescribed, to the effect that the document has been filed in, or is in the custody of, the office; and any such certificate shall be prima facie evidence of the facts stated in it. (2) Rules under this section may contain— (a) provisions for securing the safe custody and return to the proper office of the Senior Courts of any document sent to a court or tribunal in pursuance of the rules; and (b) such incidental and supplementary provisions as appear to the person making the rules to be necessary or expedient.		
Administration of Justice Act 1982, section 25(4) (as amended)	**Section 25 (Regulations as to deposit and registration of wills etc)** (1) Regulations may make provision— (a) as to the conditions for the deposit of a will; (b) as to the manner of and procedure for— (i) the deposit and registration of a will; and (ii) the withdrawal of a will which has been deposited; and	The provision provides the LC, following consultation with the LCJ or nominee, with power to make Regulations concerning the manner in which the Principal Registry of the Family Division is to perform its functions under the Regulations Convention.	This statutory provision has not yet been brought into force. The delegation h**as been in place since** April 2006 and will take effect as at the commencement date of the statutory provision.

	(iii) the cancellation of the registration of a will; and (c) as to the manner in which the Principal Registry of the Family Division is to perform its functions as the national body under the Registration Convention. (2) Regulations under this section may contain such incidental or supplementary provisions as the authority making the regulations considers appropriate. (3) Any such regulations are to be made— (a) for England and Wales, by the President of the Family Division of the High Court of Justice, with the concurrence of the Lord Chancellor; (b) for Scotland, by the Secretary of State after consultation with the Lord President of the Court of Session; and (c) for Northern Ireland, by the Northern Ireland Supreme Court Rules Committee, with the concurrence of the Lord Chancellor. **(4)** Regulations made by virtue of subsection (1)(c) above shall be made by the Lord Chancellor, after **consulting** the Lord Chief Justice of England and Wales. (5) Subject to subsection (6) below, regulations under this section shall be made by statutory instrument and shall be laid before Parliament after being made. (6) Regulations for Northern Ireland shall be statutory rules for the purposes of the Statutory Rules (Northern Ireland) Order 1979; and any such statutory rule shall be laid before the Northern Ireland Assembly after being made.		

	(6A) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (6) in relation to the laying of a statutory rule as it applies in relation to the laying of a statutory document under an enactment. (7) The Statutory Instruments Act 1946 shall apply to a statutory instrument containing regulations made in accordance with subsection (3)(a) above as if the regulations had been made by a Minister of the Crown. (8) Any regulations made under section 172 of the Supreme Court of Judicature (Consolidation) Act 1925 or section 126 of the Supreme Court Act 1981 shall have effect for the purposes of this Part of this Act as they have effect for the purposes of the enactment under which they were made. (9) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (4).		
Matrimonial and Family Proceedings Act 1984, section 31B(4)	**Section 31B (Sittings)** (1) Sittings of the family court may be held, and any other business of the family court may be conducted, at any place in England and Wales. (2) Sittings of the family court at any place may be continuous or intermittent or occasional. (3) Sittings of the family court may be held simultaneously to take any number of different cases in the same place or different places, and the court may adjourn cases from place	The provision gives the LC, following consultation with the LCJ or nominee, power to determine by directions when and where the Family Court may sit.	Delegation **in force from** 17 March 2014.

	to place at any time. **(4)** The places at which the family court sits, and the days and times at which it sits in any place, are to be determined in accordance with directions given by the Lord Chancellor after **consulting** the Lord Chief Justice. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise functions of the Lord Chief Justice under this section.		
Matrimonial and Family Proceedings Act 1984, section 31D(1)	**Section 31D (Composition of the court and distribution of its business)** **(1)** Rules may be made in accordance with Part 1 of Schedule 1 to the Constitutional Reform Act 2005 (process for making designated rules) about— (a) the composition of the family court, and (b) the distribution of business of the family court among judges of the court. (2) Rules about the composition of the family court may in particular— (a) provide for the court to be constituted differently for the purpose of deciding different matters; (b) make provision about who is to preside where the court is composed of more than one judge. (3) Rules about the distribution of business of the family court may in particular— (a) prohibit specified judges from conducting specified business; (b) prohibit judges from conducting specified	The provision gives the LCJ or nominee, following consultation with the Family Procedure Rules Committee, to make rules governing the composition and distribution of work in the Family Court. The rules must be made in accordance with the procedure set out in the Constitutional Reform Act and as such are subject to the LC's agreement.	Delegation **in force from** 17 March 2014. The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, Schedule 1, part 1, paragraph 2(2), which requires the LC's agreement to the LCJ's choice of nominee.

	business unless authorised to do so by a specified judicial office holder; (c) prohibit specified judges from conducting business, or specified business, unless authorised to do so by a specified judicial office holder; (d) prohibit specified judges from exercising specified powers of the court. (4) In subsection (3)— "judge"does not include a judge within section 31C(1)(a) to (i);"specified" means specified in, or of a description specified in, rules under this section.(5) Rules under this section— (a) may confer powers on the Lord Chief Justice or on a judicial office holder; (b) may be made only after consultation with the Family Procedure Rule Committee. (6) Family Procedure Rules are subject to rules under this section. **(7)** The Lord Chief Justice's power under paragraph 2(2)(b) of Schedule 1 to the Constitutional Reform Act 2005 to nominate a judicial office holder to make rules under this section includes power to nominate different judicial office holders to make rules under this section for different purposes. (8) Paragraph 5 of that Schedule (duty to make rules to achieve purpose specified by Lord Chancellor) does not apply in relation to rules under this section. (9) In this section "judicial office holder" has the meaning given by section 109(4) of that Act.		

	(10) No proceedings in the family court are to be with a jury.		
Matrimonial and Family Proceedings Act 1984, section 31H(1)	**Section 31H (Contempt of court: power to limit court's powers)** **(1)** The Lord Chancellor may by regulations made after **consulting** the Lord Chief Justice make provision limiting or removing, in circumstances specified in the regulations, any of the powers exercisable by the family court when dealing with a person for contempt of court. (2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise functions of the Lord Chief Justice under this section.	The provision gives the LC, following consultation with the LCJ or nominee, power by regulations to alter the Family Court's powers to deal with contempt of court.	Delegation **in force from** 17 March 2014.
Matrimonial and Family Proceedings Act 1984, section 31K(3)	**Section 31K (Appeals)** (1) Subject to any order made under section 56(1) of the Access to Justice Act 1999 (power to provide for appeals to be made instead to the High Court or county court, or to the family court itself), if any party to any proceedings in the family court is dissatisfied with the decision of the court, that party may appeal from it to the Court of Appeal in such manner and subject to such conditions as may be provided by Family Procedure Rules. (2) Subsection (1) does not— (a) confer any right of appeal from any decision where a right of appeal is conferred by some other enactment, or (b) take away any right of appeal from any decision where a right of appeal is so conferred,	The provision gives the LC, following consultation with the LCJ or nominee, power to make provision concerning the circumstances when appeals may be made from decisions taking in respect of the transfer, or proposed transfer, of proceedings to or from the Family Court.	Delegation **in force from** 17 March 2014.

	and has effect subject to any enactment other than this Part; and in this subsection "enactment" means an enactment whenever passed. **(3)** The Lord Chancellor may, after **consulting** the Lord Chief Justice, by order make provision as to the circumstances in which appeals may be made against decisions taken by courts or judges on questions arising in connection with the transfer, or proposed transfer, of proceedings from or to the family court. (4) Except to the extent provided for in any order made under subsection (3), no appeal may be made against any decision of a kind mentioned in that subsection. (5) At the hearing of any proceedings in the family court in which there is a right of appeal or from which an appeal may be brought with permission, the judge, if requested to do so by any party, is to make a note— (a) of any question of law raised at the hearing, (b) of the facts in evidence in relation to any such question, and (c) of the court's decision on any such question and of the court's determination of the proceedings. (6) Where such a note is made, and whether or not an appeal has been made, the court— (a) on the application of any party to the proceedings, and (b) on payment of the fee (if any) prescribed under section 92 of the Courts Act 2003, is to provide that party with a copy of the note signed by the judge, and the copy so signed is to be used at the hearing of		

	any appeal. (7) Section 81 of the County Courts Act 1984 (powers of Court of Appeal on appeal from county court) applies to appeals from the family court to the Court of Appeal as it applies to appeals from the county court to the Court of Appeal. (8) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise functions of the Lord Chief Justice under subsection (3).		
Matrimonial and Family Proceedings Act 1984, section 31M	**Section 31M (Records of proceedings)** (1) The Lord Chancellor may by regulations provide for the keeping of records of and in relation to proceedings of the family court. (2) Any entry in a book or other document required to be kept by regulations under subsection (1), or a copy of any such entry or document purporting to be signed and certified as a true copy by a judge of the family court, is at all times without further proof to be admitted in any court or place as evidence of the entry and of the proceeding referred to by it and of the regularity of that proceeding. **(3)** The Lord Chancellor must **consult** the Lord Chief Justice before making regulations under this section. (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise functions of the Lord Chief Justice under this section.	The provision gives the LC, following consultation with the LCJ or nominee, power by Regulations to provide for record-keeping in respect of proceedings in the Family Court.	Delegation **in force from** 17 March 2014.

County Courts Act 1984, section 61(1) and 61(3A) as amended	**Section 61 (Right of audience by direction of Lord Chancellor)** **(1)** The Lord Chancellor may, with the **concurrence** of the Lord Chief Justice, at any time direct that such categories of persons in relevant legal employment as may be specified in the direction may address the court in any proceedings in the county court, or in proceedings in the county court of such description as may be so specified. (2) In subsection (1), "relevant legal employment" means employment which consists of or includes giving assistance in the conduct of litigation to a legal representative whether in private practice or not. (3) A direction under this section may be given subject to such conditions and restrictions as appear to the Lord Chancellor to be necessary or expedient, and may be expressed to have effect as respects every place where the county court sits or as respects one or more specified places where the county court sits. **(3A)** Subsections (1) to (3) apply in relation to the family court as they apply in relation to the county court. (4) The power to give directions conferred by this section includes a power to vary or rescind any direction given under this section. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.	The provision enables the LC, with the concurrence of the LCJ or nominee to extend rights of audience, in specified circumstances, in the Family Court. The PFD is the LCJ's nominee in respect of the Family Court.	Delegation **in force** from 14 December 2015.

Children Act 1989, section 7(2) (as amended)	**Section 7 (Welfare reports)** (1) A court considering any question with respect to a child under this Act may— (a) ask an officer of the Service or a Welsh family proceedings officer; or (b) ask a local authority to arrange for— (i) an officer of the authority; or (ii) such other person (other than an officer of the Service or a Welsh family proceedings officer) as the authority considers appropriate, to report to the court on such matters relating to the welfare of that child as are required to be dealt with in the report. **(2)** The Lord Chancellor may, after **consulting** the Lord Chief Justice, make regulations specifying matters which, unless the court orders otherwise, must be dealt with in any report under this section. (3) The report may be made in writing, or orally, as the court requires. (4) Regardless of any enactment or rule of law which would otherwise prevent it from doing so, the court may take account of— (a) any statement contained in the report; and (b) any evidence given in respect of the matters referred to in the report, in so far as the statement or evidence is, in the opinion of the court, relevant to the question which it is considering. (5) It shall be the duty of the authority or officer of the Service or a Welsh family proceedings officer to comply with any request for a report under this section.	The provision provides the LC, following consultation with the LCJ or nominee, with power to specify by regulations, unless the court orders otherwise, the matters to be contained in child welfare reports.	Delegation **in force from** April 2006.

	(6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).		
Children Act 1989, section 97(4) (as amended)	**Section 97 (Privacy for children involved in certain proceedings)** (2) No person shall publish to the public at large or any section of the public any material which is intended, or likely, to identify— (a) any child as being involved in any proceedings before the High Court or the family court in which any power under this Act or the Adoption and Children Act 2002 may be exercised by the court with respect to that or any other child; or (b) an address or school as being that of a child involved in any such proceedings. (3) In any proceedings for an offence under this section it shall be a defence for the accused to prove that he did not know, and had no reason to suspect, that the published material was intended, or likely, to identify the child. **(4)** The court or the Lord Chancellor may, if satisfied that the welfare of the child requires it and, in the case of the Lord Chancellor, if the Lord Chief Justice **agrees**, by order dispense with the requirements of subsection (2) to such extent as may be specified in the order. (5) For the purposes of this section— "publish" includes— (a) include in a programme service (within	The provision provides the LC, with the agreement of the LCJ or nominee, with power by Order to dispense with the requirements specified in section 97(2).	Delegation **in force from** April 2006.

	the meaning of the Broadcasting Act 1990); (b) cause to be published; and "material" includes any picture or representation. (6) Any person who contravenes this section shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 4 on the standard scale. (6A) It is not a contravention of this section to— (a) enter material in the Adoption and Children Act Register (established under section 125 of the Adoption and Children Act 2002), or (b) permit persons to search and inspect that register pursuant to regulations made under section 128A of that Act. (9) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (4).		
Child Support Act 1991, section 8(5A) (as amended)	**Section 8 (Role of the courts with respect to maintenance for children)** (1) This subsection applies in any case where the Secretary of State would have jurisdiction to make a maintenance calculation with respect to a qualifying child and a non-resident parent of his on an application duly made by a person entitled to apply for such a calculation with respect to that child. (2) Subsection (1) applies even though the circumstances of the case are such that the Secretary of State would not make a calculation if it were applied for.	The provision provides the LC, with the concurrence of the LCJ or nominee, with the power by Order to specify when a court would retain power to make a maintenance order notwithstanding the general provisions of section 8.	Delegation **in force from** April 2006.

	(3) Except as provided in subsection (3A), in any case where subsection (1) applies, no court shall exercise any power which it would otherwise have to make, vary or revive any maintenance order in relation to the child and non-resident parent concerned. (3A) Unless a maintenance calculation has been made with respect to the child concerned, subsection (3) does not prevent a court from varying a maintenance order in relation to that child and the non-resident parent concerned– (a) if the maintenance order was made on or after the date prescribed for the purposes of section 4(10)(a) or 7(10)(a); or (b) where the order was made before then, in any case in which section 4(10) or 7(10) prevents the making of an application for a maintenance calculation with respect to or by that child. (4) Subsection (3) does not prevent a court from revoking a maintenance order. (5) The Lord Chancellor or in relation to Scotland the Lord Advocate may by order provide that, in such circumstances as may be specified by the order, this section shall not prevent a court from exercising any power which it has to make a maintenance order in relation to a child if— (a) a written agreement (whether or not enforceable) provides for the making, or securing, by a non-resident parent of the child of periodical payments to or for the benefit of the child; and (b) the maintenance order which the court makes is, in all material respects, in the same terms as that agreement.		

	(5A) The Lord Chancellor may make an order under subsection (5) only with the **concurrence** of the Lord Chief Justice. (6) This section shall not prevent a court from exercising any power which it has to make a maintenance order in relation to a child if— (a) a maintenance calculation is in force with respect to the child; (b) the non-resident parent's gross weekly income exceeds the figure referred to in paragraph 10(3) of Schedule 1 (as it has effect from time to time pursuant to regulations made under paragraph 10A(1)(b)); and (c) the court is satisfied that the circumstances of the case make it appropriate for the non-resident parent to make or secure the making of periodical payments under a maintenance order in addition to the child support maintenance payable by him in accordance with the maintenance calculation. (7) This section shall not prevent a court from exercising any power which it has to make a maintenance order in relation to a child if— (a) the child is, will be or (if the order were to be made) would be receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation (whether or not while in gainful employment); and (b) the order is made solely for the purposes of requiring the person making or securing the making of periodical payments fixed by the order to meet some or all of the expenses incurred in connection with the provision of the instruction or training. (8) This section shall not prevent a court from exercising any power which it has to make a		

	maintenance order in relation to a child if— (a) an allowance under Part 4 of the Welfare Reform Act 2012 (personal independence payment) or a disability living allowance is paid to or in respect of him; or (b) no such allowance is paid but he is disabled, and the order is made solely for the purpose of requiring the person making or securing the making of periodical payments fixed by the order to meet some or all of any expenses attributable to the child's disability. (9) For the purposes of subsection (8), a child is disabled if he is blind, deaf or dumb or is substantially and permanently handicapped by illness, injury, mental disorder or congenital deformity or such other disability as may be prescribed. (10) This section shall not prevent a court from exercising any power which it has to make a maintenance order in relation to a child if the order is made against a person with care of the child. (11) In this Act “maintenance order” , in relation to any child, means an order which requires the making or securing of periodical payments to or for the benefit of the child and which is made under— (a) Part II of the Matrimonial Causes Act 1973; (b) the Domestic Proceedings and Magistrates' Courts Act 1978; (c) Part III of the Matrimonial and Family Proceedings Act 1984; (d) the Family Law (Scotland) Act 1985;		

	(e) Schedule 1 to the Children Act 1989 ; (ea) Schedule 5, 6 or 7 to the Civil Partnership Act 2004; or (f) any other prescribed enactment. and includes any order varying or reviving such an order. (12) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Courts Act 2003, section 77(1A), (3) and (5) (as amended)	**Section 77 (Family Procedure Rule Committee)** (1) The Family Procedure Rule Committee is to consist of– (a) the President of the Family Division, and (b) the persons currently appointed in accordance with subsections (1A) and (1B). **(1A)** The Lord Chief Justice must **appoint** the persons falling within paragraphs (a) to (f) of subsection (2). (1B) The Lord Chancellor must appoint the persons falling within paragraphs (g) to (o) of subsection (2). (2) The persons to be appointed in accordance with subsections (1A) and (1B) are – (a) two judges of the Senior Courts, at least one of whom must be a puisne judge attached to the Family Division, (b) one Circuit judge, (c) one district judge of the principal registry of the Family Division, (d) one district judge appointed under section 6 of the County Courts Act 1984 (c. 28), (e) one District Judge (Magistrates' Courts),	The provision concerns the constitution of the Family Procedure Rule Committee. It provides the LCJ or nominee power, following consultation with the LC and PFD, to appoint the judicial members of the Committee. It further provides the LC, following consultation with the LCJ or nominee, with power to appoint the non-judicial members of the Committee.	Delegation **in force from** April 2006.

	(f) one lay justice, (g) one justices' clerk, (h) one person who has– (i) a Senior Courts qualification, and (ii) particular experience of family practice in the High Court, (j) one person who has– (i) a Senior Courts qualification, and (ii) particular experience of family practice in [the family court] 6 , (k) one person who– (i) has been authorised by a relevant approved regulator to conduct litigation in relation to all proceedings in the Senior Courts, and (ii) has particular experience of family practice in the High Court, (m) one person who– (i) has been so authorised, and (ii) has particular experience of family practice in the family court, (n) one person nominated by CAFCASS, and (o) one person with experience in and knowledge of the lay advice sector or the system of justice in relation to family proceedings. **(3)** Before appointing a person in accordance with subsection (1A), the Lord Chief Justice must **consult** the Lord Chancellor and the President of the Family Division. **(5)** Before appointing a person in accordance with subsection (1B), the Lord Chancellor must **consult** the Lord Chief Justice and, if the person falls within any of paragraphs (h) to (m) of subsection (2), must also consult any body which–		

	(a) has members eligible for appointment under the provision in question, and (b) is a relevant approved regulator in relation to the exercise of a right of audience or the conduct of litigation (or both). (6) The Lord Chancellor may reimburse the members of the Family Procedure Rule Committee their travelling and out-of-pocket expenses. (7) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section. (8) In this section "relevant approved regulator" is to be construed in accordance with section 20(3) of the Legal Services Act 2007.		
Courts Act 2003, section 80 (as amended)	**Section 80 (Power to amend legislation in connection with the rules)** **(1)** The Lord Chancellor may, **after consulting** the Lord Chief Justice, by order amend, repeal or revoke any enactment to the extent that he considers necessary or desirable– (a) in order to facilitate the making of Family Procedure Rules, or (b) in consequence of section 75, 76 or 79 or Family Procedure Rules. (2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.	The provision provides the LC, after consulting the LCJ or nominee, with power to amend, repeal or revoke any statutory provision in order to facilitate the making of Family Procedure Rules.	Delegation **in force from** April 2006.

Courts Act 2003, section 81 (as amended)	**Section 81 (Practice directions relating to family proceedings)** **(1)** Directions may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005 as to the practice and procedure of– (za) the civil division of the Court of Appeal in proceedings on appeal from the Family Division of the High Court or from the family court, (zb) the Family Division of the High Court in proceedings which are business assigned, by or under section 61 of (and Schedule 1 to) the Senior Courts Act 1981, to that Division of the High Court and no other, and (aa) the family court. (2) Directions as to the practice and procedure mentioned in subsection (1) which are given otherwise than under subsection (1) may not be given without the approval of– (a) the Lord Chancellor, and (b) the Lord Chief Justice. (2A) Directions as to the practice and procedure mentioned in subsection (1) (whether given under subsection (1) or otherwise) may provide for any matter which, by virtue of paragraph 3 of Schedule 1 to the Civil Procedure Act 1997, may be provided for by Civil Procedure Rules. (3) The power to give directions under subsection (1) includes power– (a) to vary or revoke directions as to the practice and procedure mentioned in subsection (1), whether given under subsection (1) or otherwise, (b) to give directions containing different provision for different cases (including different areas), and	The provision provides the LCJ or nominee to issue Practice Directions in respect of family proceedings.	The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, schedule 2, part 1, paragraph 2(2). The powers in section 81(2)(b) and 81(5)(b) cannot be delegated. Delegation **in force from** April 2006 to 13 November 2012. Revoked by LCJ during the PFD's absence. Delegation **in force from** 11 January 2013.

	(c) to give directions containing provision for a specific court, for specific proceedings or for a specific jurisdiction. (4) Subsection (2)(a) does not apply to 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. (5) Subsection (2)(a) does not apply to 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 given only– (a) after consulting the Lord Chancellor, and (b) with the approval of the Lord Chief Justice. (5) In this section– "Civil Procedure Rules" has the same meaning as in the Civil Procedure Act 1997.		

Delegation to the President of the Court of Protection[4]

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Mental Capacity Act 2005, section 21(1) (as amended)	**Section 21 (Transfer of proceedings relating to people under 18)** **(1)** The Lord Chief Justice, with the **concurrence** of the Lord Chancellor, may by order make provision as to the transfer of proceedings relating to a person under 18, in such circumstances as are specified in the order– (a) from the Court of Protection to a court having jurisdiction under the Children Act 1989 (c. 41), or (b) from a court having jurisdiction under that Act to the Court of Protection. (2) The Lord Chief Justice may nominate any of the following to exercise his functions under this section— (a) the President of the Court of Protection; (b) a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005).	The LCJ or nominee, with the LC's concurrence, may by order make provision for the transfer of proceedings relating to persons under the age of 18 from a court having jurisdiction under to the Children Act 1989 to the Court of Protection or vice versa.	Delegation prospectively **in force from** December 2006.

[4] The President of the Family Division is the President of the Court of Protection. During 2020 the delegations to the President of the Court of Protection were temporarily transferred to the Vice-President of the Court of Protection.

Mental Capacity Act 2005, section 45(5) (as amended)	**Section 45 (The Court of Protection)** (1) There is to be a superior court of record known as the Court of Protection. (2) The court is to have an official seal. (3) The court may sit at any place in England and Wales, on any day and at any time. (4) The court is to have a central office and registry at a place appointed by the Lord Chancellor, after consulting the Lord Chief Justice. **(5)** The Lord Chancellor may, after consulting the Lord Chief Justice, designate as additional registries of the court any district registry of the High Court and any county court office. (5A) The Lord Chief Justice may nominate any of the following to exercise his functions under this section— (a) the President of the Court of Protection; (b) a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005). (6) The office of the Supreme Court called the Court of Protection ceases to exist.	The provision gives the LC, following consultation with the LCJ or nominee, power to designate additional registries of the Court of Protection.	Delegation prospectively **in force from** December 2006.
Mental Capacity Act 2005, section 46(1)(b) (as amended)	**Section 46 (The judges of the Court of Protection)** **(1)** Subject to Court of Protection Rules under section 51(2)(d), the jurisdiction of the court is exercisable by a judge nominated for that purpose by– (a) the Lord Chief Justice, or **(b)** where nominated by the Lord Chief Justice to	The provision provides the LCJ's nominee, the President of the Court of Protection, to nominate judges to exercise the jurisdiction of the Court of Protection.	Delegation prospectively **in force from** December 2006. From **December 2006** the nomination power delegated was limited to those judicial office holders within the scope of section 46(2)((c)

	act on his behalf under this subsection— (i) the President of the Court of Protection; or (ii) a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005). (2) To be nominated, a judge must be– (a) the President of the Family Division, (b) the President of the Business and Property Division, (c) a puisne judge of the High Court, (d) a circuit judge, (e) a district judge, (f) a District Judge (Magistrates' Courts), (g) a judge of the First-tier Tribunal, or of the Upper Tribunal, by virtue of appointment under paragraph 1(1) of Schedule 2 or 3 to the Tribunals, Courts and Enforcement Act 2007, (h) a transferred-in judge of the First-tier Tribunal or of the Upper Tribunal (see section 31(2) of that Act), (i) a deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act), (j) the Chamber President, or Deputy Chamber President, of a chamber of the First-tier Tribunal or of a chamber of the Upper Tribunal, (k) the Judge Advocate General, (l) a Recorder, (m) the holder of an office listed in the first column of the table in section 89(3C) of the Senior Courts Act 1981 (senior High Court Masters etc), (n) a holder of an office listed in column 1 of Part 2 of Schedule 2 to that Act (High Court Masters etc),		– (e). From the entry into force of the Crime and Courts Act 2013 it extended to cover the newly inserted subsections in s46(2).

	(o) a deputy district judge appointed under section 102 of that Act or under section 8 of the County Courts Act 1984, (p) a member of a panel of Employment Judges established for England and Wales or for Scotland, (q) a person appointed under section 30(1)(a) or (b) of the Courts-Martial (Appeals) Act 1951 (assistants to the Judge Advocate General), (r) a deputy judge of the High Court, (s) the Senior President of Tribunals, (t) an ordinary judge of the Court of Appeal (including the vice president, if any, of either division of that court), (u) the President of the Queen's Bench Division, (v) the Master of the Rolls, or (w) the Lord Chief Justice. (3) The Lord Chief Justice, after consulting the Lord Chancellor, must– (a) appoint one of the judges nominated by virtue of subsection (2)(a) to (c) to be President of the Court of Protection, and (b) appoint another of those judges to be Vice-President of the Court of Protection. (4) The Lord Chief Justice, after consulting the Lord Chancellor, must appoint one of the judges nominated by virtue of subsection (2)(d) to (q) to be Senior Judge of the Court of Protection, having such administrative functions in relation to the court as the Lord Chancellor, after consulting the Lord Chief Justice, may direct.		

Mental Capacity Act 2005, section 51 (as amended)	**Section 51 (Court of Protection Rules)** **(1)** Rules of court with respect to the practice and procedure of the court (to be called "Court of Protection Rules") may be made in accordance with Part 1 of Schedule 1 to the Constitutional Reform Act 2005. (2) Court of Protection Rules may, in particular, make provision– (a) as to the manner and form in which proceedings are to be commenced; (b) as to the persons entitled to be notified of, and be made parties to, the proceedings; (c) for the allocation, in such circumstances as may be specified, of any specified description of proceedings to a specified judge or to specified descriptions of judges; (d) for the exercise of the jurisdiction of the court, in such circumstances as may be specified, by its officers or other staff; (e) for enabling the court to appoint a suitable person (who may, with his consent, be the Official Solicitor) to act in the name of, or on behalf of, or to represent the person to whom the proceedings relate; (f) for enabling an application to the court to be disposed of without a hearing; (g) for enabling the court to proceed with, or with any part of, a hearing in the absence of the person to whom the proceedings relate; (h) for enabling or requiring the proceedings or any part of them to be conducted in private and for enabling the court to determine who is to be admitted when the court sits in private and to exclude specified persons when it sits in public;		Delegation prospectively **in force from** December 2006.

	(i) as to what may be received as evidence (whether or not admissible apart from the rules) and the manner in which it is to be presented; (j) for the enforcement of orders made and directions given in the proceedings. (3) Court of Protection Rules may, instead of providing for any matter, refer to provision made or to be made about that matter by directions. (4) Court of Protection Rules may make different provision for different areas.		
Mental Capacity Act 2005, section 52(1) and (2) (as amended)	**Section 52 (Practice directions)** **(1)** Directions as to the practice and procedure of the court may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005. **(2)** Practice directions given otherwise than under subsection (1) may not be given without the **approval** of— (a) the Lord Chancellor, and (b) the Lord Chief Justice. (3) The Lord Chief Justice may nominate any of the following to exercise his functions under this section— (a) the President of the Court of Protection; (b) a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005).	The provision gives the LCJ or nominee power to issue Practice Directions for the Court of Protection. Directions made under section 52(2) may only be made with the LCJ or LCJ's nominee's and the LC's approval.	The power to delegate the functions under section 52(1) is contained in Constitutional Reform Act 2005, schedule 2, part 1, paragraph 2(2), which requires the LC's agreement to the LCJ's choice of nominee. Delegation prospectively **in force from** December 2006.
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who—	The provision provides that the LCJ or nominee may authorise a HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act	Delegation **in force from** 6 April 2020.

	(a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience. (2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice. (3) Such a person is referred to in this Part as an "authorised person". (4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice,	2007 to authorise such judicial functions as are provided for in rules of court. The President of the Court of Protection is the LCJ's delegate in respect of authorisations under the Court of Protection Rules.	

	when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.		

Delegation to the President of the Business and Property Division

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Registered Designs Act 1949, section 27(2) (as amended)	**Section 27 (The court)** (1) In this Act "the court" means — (a) in England and Wales the High Court, (b) in Scotland, the Court of Session, and (c) in Northern Ireland, the High Court. **(2)** Provision may be made by rules of court with respect to proceedings in the High Court in England and Wales for references and applications under this Act to be dealt with by such judge of that court as the Lord Chief Justice of England and Wales may, after **consulting** the Lord Chancellor, select for the purpose. (3) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).	The provision provides the LCJ or nominee, following consultation with the LC, to designate by rules of court which judges of the High Court may deal with references and applications under the 1949 Act.	Delegation **in force from** April 2006.
Administration of Justice Act 1970, section 10(1)(a), 10(1A) and 10(1B)	**Section 10 (Temporary additional judges)** (1) This section applies if both of the following conditions are met– **(a)** the Lord Chancellor thinks that it is expedient, having regard to the state of business pending before the Registered Designs Appeal Tribunal and after **consulting** the Lord	This provision provides the LCJ or nominee with power to appoint temporary additional judges of the Registered Designs Appeal Tribunal. The power may only be exercised following consultation with the LC where there has been a request from the	Delegation **in force from** April 2006.

	Chief Justice, for a person to be appointed to sit and act as an additional judge of the Tribunal (either alone or with a judge of the High Court who is a judge of the Tribunal); (b) the Lord Chancellor requests the Lord Chief Justice to make such an appointment. **(1A)** The Lord Chief Justice may, **after consulting** the Lord Chancellor, **appoint** one of the following persons as mentioned in subsection (1)(a)– (a) a judge of the Court of Appeal; (b) … (c) one of Her Majesty's Counsel. **(1B)** An appointment under this section is– (a) for such period, or (b) for the purpose of hearing such appeals, as the Lord Chief Justice **determines**, after **consulting** the Lord Chancellor. (2) A person appointed to the Tribunal under this section shall, while sitting and acting as aforesaid, have all the jurisdiction of, but shall not otherwise be deemed to be, a judge of the Tribunal. (3) The Lord Chancellor may pay to a person appointed to the Tribunal under this section (other than a judge of the Court of Appeal) such remuneration as he may determine with the approval of the Minister for the Civil Service; and	LC, which itself follows consultation with the LCJ or nominee. The power to determine the length of any such appointment may only be exercised following consultation with the LC.	

	any such remuneration shall be included in the expenses of the Tribunal. (4) In this section "the Registered Designs Appeal Tribunal" means the Appeal Tribunal constituted under section 28 of the Registered Designs Act 1949 as amended by section 24 of the Administration of Justice Act 1969. (4A) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section. (5) …		
Patents Act 1977, section 97(2) (as amended)	**Section 97 (Appeals from the comptroller)** (1) Except as provided by subsection (4) below, an appeal shall lie to the Patents Court from any decision of the comptroller under this Act or rules except any of the following decisions, that is to say— (a) a decision falling within section 14(7) above; (b) a decision under section 16(2) above to omit matter from a specification; (c) a decision to give directions under subsection (1) or (2) of section 22 above; (d) a decision under rules which is excepted by rules from the right of appeal conferred by this section. **(2)** For the purpose of hearing appeals under this section the Patents Court may consist of one or more judges of that court in accordance with directions given by the Lord Chief Justice of England and Wales after consulting the Lord Chancellor; and the Patents Court shall not be treated as a divisional court for the purposes of section 31(1)(f) of the	This provision provides the LCJ or nominee to specify in directions, after consulting the LC, that a Patents Court may consist of one or more judges of that court.	Delegation **in force from** April 2006.

	Supreme Court of Judicature (Consolidation) Act 1925 (appeals from divisional courts). (3) An appeal shall not lie to the Court of Appeal from a decision of the Patents Court on appeal from a decision of the comptroller under this Act or rules— (a) except where the comptroller's decision was given under section 8, 12, 18, 20, 27, 37, 40, 61, 72, 73 or 75 above; or (b) except where the ground of appeal is that the decision of the Patents Court is wrong in law; but an appeal shall only lie to the Court of Appeal under this section if leave to appeal is given by the Patents Court or the Court of Appeal. (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).[5] (4) … (5) . . .		
Senior Courts Act 1981, section 6(2) (as amended)	**Section 6 (The Patents, Admiralty and Commercial Courts)** (1) There shall be as part of the Business and Property Division— (a) a Patents Court; (b) an Admiralty Court, and	The provision provides the LCJ or nominee, following consultation with the LC to **nominate** judges of the Business and Property Division to be judges of the Patents Court.	Delegation **in force** from April 2006.

[5] NB: due to a drafting error in the Constitutional Reform Act 2005, which inserted this section 97(4), there are two sub-sections 97(4).

	(c) a Commercial Court. **(2)** The judges of the Patents Court, of the Admiralty Court and of the Commercial Court shall be such of the puisne judges of the High Court as the **Lord Chief Justice may,** after consulting the Lord Chancellor, **from time to time nominate** to be judges of the **Patents Court**, Admiralty Judges and Commercial Judges respectively. (3) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).		
Senior Courts Act 1981, section 9(1) (as amended) in respect of the power to appoint persons in entries 4A, 5 and 6.	**Section 9 (Assistance for transaction of judicial business)** **(1)** A person within any entry in column 1 of the following Table may, subject to the proviso at the end of that Table, at any time, **at the request of the appropriate authority,** act— (a) as a judge of a relevant court specified in the request; or (b) if the request relates to a particular division of a relevant court so specified, as a judge of that court in that division. (The following sets out the information in the Table referred to in s9(1)) Entry 1: A judge of the Court of Appeal – competent to act in the High Court and the Crown Court.	Section 9 provides the power to deploy certain judges to act as judges of specified courts. It also provides the power to appoint deputy judges of the High Court. The PBPD is the LCJ's nominee for authorising a person in **entry 4A, 5 or 6** of Table 1 of section 9(1) to act as a judge of the Business and Property Division of the High Court. This authorisation power may only be exercised following consultation with the LC.	Delegation in respect of the authorisation power under entries 5 and 6 and section 9(4) **in force from** April 2006. Delegation in respect of the authorisation power under section 1, entry 4A **in force from** 14 December 2015.

	Entry 3: A puisne judge of the High Court – competent to act in the Court of Appeal. Entry 4A: The Senior President of Tribunals – competent to act in the Court of Appeal and the High Court. Entry 5: A Circuit judge – competent to act in the High Court and the Court of Appeal. Entry 6: A Recorder or a person within subsection (1ZB) – competent to act in the High Court. (1ZA) The Senior President of Tribunals is to be treated as not being within any entry in column 1 of the Table other than entry 4A. (1ZB) A person is within this subsection if the person— (a) is a Chamber President, or a Deputy Chamber President, of a chamber of the Upper Tribunal or of a chamber of the First-tier Tribunal, (b) is a judge of the Upper Tribunal by virtue of appointment under paragraph 1(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007, (c) is a transferred-in judge of the Upper Tribunal (see section 31(2) of that Act), (d) is a deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act), or (e) is the President of Employment Tribunals (England and Wales) or the President of Employment Tribunals (Scotland). The entry in column 2 specifying the Court of Appeal in		

	relation to a Circuit judge only authorises such a judge to act as a judge of a court in the criminal division of the Court of Appeal. (1A) A person shall not act as a judge by virtue of subsection (1) after the day on which he attains the age of 75. **(2)** In subsection (1)— "the appropriate authority" means– (a) **the Lord Chief Justice or a judicial office holder** (as defined in section 109(4) of the Constitutional Reform Act 2005) nominated by him to exercise his functions under this section, or (b) at any time when the Lord Chief Justice or the nominated judicial office holder is unable to make such a request himself, or there is a vacancy in the office of Lord Chief Justice, the Master of the Rolls; "relevant court", in the case of a person within any entry in column 1 of the Table, means a court specified in relation to that entry in column 2 of the Table. (2A) The power of the appropriate authority to make a request under subsection (1) is subject to subsections (2B) to (2D). (2B) The appropriate authority may make the request only after consulting the Lord Chancellor. (2C) …		

	(2CA) In the case of a request to a person within entry 5 or 6 in column 1 of the Table to act as a judge of the High Court, the appropriate authority may make the request only if the person is a member of the pool for requests under subsection (1) to persons within that entry. (2D) In the case of a request to a Circuit judge to act as a judge of the Court of Appeal, the appropriate authority may make the request only with the concurrence of the Judicial Appointments Commission. (3) The person to whom a request is made under subsection (1) must comply with the request, but this does not apply to— (a) … (b) … (c) a request made to the Senior President of Tribunals if the holder of that office is a judge of the Court of Session or of the High Court, or Court of Appeal, in Northern Ireland. (4) Without prejudice to section 24 of the Courts Act 1971 (temporary appointment of deputy Circuit judges, if it appears to the Lord Chief Justice, after consulting the Lord Chancellor, that it is expedient as a temporary measure to make an appointment under this subsection in order to facilitate the disposal of business in the High Court or the Crown Court or any other court or tribunal to which persons appointed under this subsection may be deployed, he may appoint a person qualified for appointment as a puisne judge of the High Court to be a deputy judge of the High Court during such period or on such occasions as the Lord Chief Justice may, after consulting the Lord Chancellor,		

	think fit; and during the period or on the occasions for which a person is appointed as a deputy judge under this subsection, he may act as a puisne judge of the High Court. (4A) No appointment of a person as a deputy judge of the High Court shall be such as to extend beyond the day on which he attains the age of 75. (5) Every person while acting under this section shall, subject to [subsections (6) and (6A), be treated for all purposes as, and accordingly may perform any of the functions of, a judge of the court in which he is acting. (6) A person shall not by virtue of subsection (5)— (a) be treated as a judge of the court in which he is acting for the purposes of section 98(2) or of any statutory provision relating to— (i) the appointment, retirement, removal or disqualification of judges of that court; (ii) the tenure of office and oaths to be taken by such judges; or (iii) the remuneration, allowances or pensions of such judges; or (b) subject to section 27 of the Judicial Pensions and Retirement Act 1993, be treated as having been a judge of a court in which he has acted only under this section. (6A) A Circuit judge, Recorder or person within subsection (1ZB) shall not by virtue of subsection (5) exercise any of the powers conferred on a single judge by sections 31, 31B, 31C and 44 of the Criminal Appeal Act 1968 (powers of single judge in connection with appeals to the Court of		

	Appeal and appeals from the Court of Appeal to the Supreme Court. (7) … (8) Such remuneration and allowances as the Lord Chancellor may, with the concurrence of the Minister for the Civil Service, determine may be paid out of money provided by Parliament— (a) … (b) to any deputy judge of the High Court appointed under subsection (4). (8A) A person may be removed from office as a deputy judge of the High Court— (a) only by the Lord Chancellor with the agreement of the Lord Chief Justice, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment. (8B) Subject to the preceding provisions of this section, a person appointed under subsection (4) is to hold and vacate office as a deputy judge of the High Court in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. (9) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act		

	2005 to exercise functions of the Lord Chief Justice under this section.		
Senior Courts Act 1981, section 91(1), 91(6A) and 91(6C) (as amended)	**Section 91 (Deputies and temporary appointments)** **(1)** If it appears to the Lord Chief Justice that it is expedient to do so in order to facilitate the disposal of business in the Senior Courts or any other court or tribunal to which a person appointed under this subsection may be deployed, he **may appoint** a person— (a) to act as a deputy for any person holding an office listed in column 1 of Part II of Schedule 2[6]; or (b) to act as a temporary additional officer in any such office, during such period or on such occasions as the Lord Chancellor may think fit. (1ZA) The Lord Chief Justice may not appoint a holder of relevant office under subsection (1) without the concurrence of the Lord Chancellor. (1ZB) Section 85 of the Constitutional Reform Act 2005 (selection of certain office holders) does not apply to an appointment to which subsection (1ZA) applies. (1ZC) In this section a "holder of relevant office" means a person who holds –	This provision provides the LCJ or nominee with power to **appoint deputy or temporary Masters of the Business and Property Division** and **Registrars of the High Court who** may then sit during such time as the LC sees fit. The power can be exercised in two ways. If the LCJ or nominee seeks to appoint a holder of a relevant office, the appointment may only be made with the LC's concurrence. If the LCJ or nominee wants to appoint a person who is not a holder of a relevant office, the appointment may only be made after a JAC Competition. See Constitutional Reform Act 2005, section 85. The PBPD is the LCJ's nominee to exercise the delegated powers in respect of appointments, extensions of appointments and revocations of appointments to the BPD.	Delegation in respect of section 91(1) **in force from** April 2006. Delegation in respect of section 91(6A) and (6C) **in force from** 14 December 2015. From **April 2006 until 1 October 2013** the appointment power could only be exercised with the agreement of the Lord Chancellor: see Crime and Courts Act 2013, schedule 13(4), paragraph 35(2)(a).

[6] Those offices being: Master, King's Bench Division; Queen's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals; Admiralty Registrar; Master, Business and Property Division; Registrar in Bankruptcy of the High Court; Taxing Master of the Senior Courts; District judge of the principal registry of the Family Division.

	(a) any office listed in column 1 of Part 2 or 3 of Schedule 2, or (b) the office of district judge. (1A) If it appears to the Lord Chancellor that it is expedient to do so in order to facilitate the disposal of business in the Senior Courts, he may appoint a person– (a) to act as a deputy for any person holding an office listed in column 1 of Part 3 of Schedule 2; or (b) to act as a temporary additional officer in any such office, during such period or on such occasions as the Lord Chancellor may think fit. (2) A person shall not be qualified for appointment under this section if the office in which he would act by virtue of the appointment is one to which he is not qualified for permanent appointment. (3) … (4) Every person, while acting under this section, shall have all the jurisdiction of a person permanently appointed to the office in which he is acting. (5) … (6) The Lord Chancellor may, out of money provided by Parliament, pay to any person appointed under this section such remuneration and allowances as he may, with the concurrence of the Minister for the Civil Service,		

	determine. **(6A)** A person appointed under subsection (1) may be removed from office— (a) only by the Lord Chancellor with the **agreement** of the Lord Chief Justice, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment. (6B) Subject to subsection (6C), the period of a person's appointment under subsection (1) (including a period already extended under this subsection) must be extended by the Lord Chancellor before its expiry; and for this purpose a person appointed under subsection (1) to act under this section on certain occasions is to be treated as having been appointed for a period that expires when the occasions end. **(6C)** Extension under subsection (6B)— (a) requires the person's agreement, (b) is to be for such period as the Lord Chancellor thinks fit, and (c) may be refused on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment,		

	but only with any **agreement** of the Lord Chief Justice, **or a nominee** of the Lord Chief Justice, that may be required by those terms. (6D) Subject to the preceding provisions of this section (but subject in the first place to the Judicial Pensions and Retirement Act 1993), a person appointed under subsection (1) is to hold and vacate office in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. (7) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005 to exercise his functions under subsection (1) or (6A)(a).		
Senior Courts Act 1981, section 124 (as amended)	**Section 124 (Place for deposit of original wills and other documents)** All original wills and other documents which are under the control of the High Court in the Principal Registry or in any district probate registry shall be deposited and preserved in such places as may be provided for in directions given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005; and any wills or other documents so deposited shall, subject to the control of the High Court and to probate rules, be open to inspection.	The provision provides the LCJ or nominee to make Practice Directions (designated directions) concerning the deposit and preservation of wills and other documents under the Principal Registry of the High Court or any district probate registry.	The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, schedule 2, part 1, paragraph 2(2). Delegation **in force** from April 2006.
Senior Courts Act 1981, section 131(2) (as amended)	**Section 131 (Conveyancing counsel of Senior Courts)** (1) The conveyancing counsel of the Senior Courts	The provision provides the LC, with the LCJ or nominee's concurrence, to appoint Senior Courts conveyancing counsel.	Delegation **in force** from April 2006.

	shall be persons who have a 10 year High Court qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990. **(2)** The conveyancing counsel of the court shall be not more than six, nor less than three, in number, and shall be appointed by the Lord Chancellor with the **concurrence** of the Lord Chief Justice. (3) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Insolvency Act 1986, section 374(1) and (2) (as amended)	**Section 374 (Insolvency districts)** **(1)** The Lord Chancellor may, with the **concurrence** of the Lord Chief Justice, by order designate the areas which are for the time being to be comprised, for the purposes of the Parts in this Group, in the London insolvency district and the insolvency district, or districts, of the county court. **(2)** An order under this section may contain such incidental, supplemental and transitional provisions as may appear to the Lord Chancellor **and** the Lord Chief Justice necessary or expedient. (3) An order under this section shall be made by statutory instrument and, after being made, shall be laid before each House of Parliament. (4) Subject to any order under this section— (a) the district which, immediately before the appointed day, is the London bankruptcy district	The provision provides the LC, with the concurrence of the LCJ or nominee, power to designate areas as the London insolvency district or insolvency districts of the County Court. It further provides the LC and the LCJ or nominee to specify any other provisions in such a designation order as necessary or expedient.	Delegation **in force from** April 2006. **From April 2006 until 22 April 2014**, the delegation in respect of **section 374(1)** concerned the provision as was then in force, which was: '*section 374(1) The Lord Chancellor may, with the **concurrence** of the Lord Chief Justice, by order designate the areas which are for the time being to be comprised, for the purposes of the Parts in this Group, in the London insolvency district and the insolvency district of each county court; and an order under this section may—* *(a) exclude any county court from having jurisdiction for the purposes*

	becomes, on that day, the London insolvency district; (b) any district which immediately before that day is the bankruptcy district of a county court becomes, on that day, the insolvency district of that court, and (c) any county court which immediately before that day is excluded from having jurisdiction in bankruptcy is excluded, on and after that day, from having jurisdiction for the purposes of the Parts in this Group. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		*of those Parts, or* *(b) confer jurisdiction for those purposes on any county court which has not previously had that jurisdiction.*'
Insolvency Act 1986, section 411(1)(a), 411(1A) , and 411(1B)(as amended)	**Section 411 (Company insolvency rules)** **(1)** Rules may be made— **(a)** in relation to England and Wales, by the Lord Chancellor with the concurrence of the Secretary of State and, in the case of rules that affect court procedure, with the **concurrence** of the Lord Chief Justice, or (b) in relation to Scotland, by the Secretary of State, for the purpose of giving effect to Parts AI to VII of this Act or the EU Regulation. **(1A)** Rules may also be made for the purpose of giving effect to Part 2 of the Banking Act 2009 (bank insolvency orders); and rules for that purpose shall be made— (a) in relation to England and Wales, by the Lord Chancellor with the **concurrence** of—	Section 411(1)(a) provides the LC, with the concurrence of the LCJ or nominee, power to make company insolvency rules affecting court procedure in order to give effect to Parts AI to VII of the Insolvency Act or the EU Regulation. Section 411(1A) provides the LCJ or nominee with power to concur in the making of rules concerning bank insolvency orders. Section 411(1B) provides the LCJ or nominee with power to concur in the making of rules concerning bank administration. The PBPD is the LCJ's nominee in	Delegation in respect of s411(1)(a) **in force from** April 2006. Delegation in respect of s411(1A) and 411(1B) **in force from** 14 December 2015.

	(i) the Treasury, and **(ii)** in the case of rules that affect court procedure, the Lord Chief Justice, or (b) in relation to Scotland, by the Treasury. **(1B)** Rules may also be made for the purpose of giving effect to Part 3 of the Banking Act 2009 (bank administration); and rules for that purpose shall be made— **(a)** in relation to England and Wales, by the Lord Chancellor with the concurrence of— (i) the Treasury, and **(ii)** in the case of rules that affect court procedure, the Lord Chief Justice, or (b) in relation to Scotland, by the Treasury. (2) Without prejudice to the generality of subsection (1), (1A) or (1B) or to any provision of those Parts by virtue of which rules under this section may be made with respect to any matter, rules under this section may contain— (a) any such provision as is specified in Schedule 8 to this Act or corresponds to provision contained immediately before the coming into force of section 106 of the Insolvency Act 1985 in rules made, or having effect as if made, under section 663(1) or (2) of the Companies Act 1985 (old winding-up rules), and (b) such incidental, supplemental and transitional provisions as may appear to the Lord Chancellor or, as the case may be, the Secretary of State or the Treasury necessary or expedient. (2A) For the purposes of subsection (2), a reference in Schedule 8 to this Act to doing anything under or for the purposes of a provision of this Act includes a reference to doing anything under or for the purposes of the EU	respect of the three powers.	

	Regulation (in so far as the provision of this Act relates to a matter to which the EU Regulation applies). (2B) Rules under this section for the purpose of giving effect to the EU Regulation may not create a new relevant offence. (2C) For the purposes of subsection (2), a reference in Schedule 8 to this Act to doing anything under or for the purposes of a provision of this Act includes a reference to doing anything under or for the purposes of Part 2 of the Banking Act 2009. (2D) For the purposes of subsection (2), a reference in Schedule 8 to this Act to doing anything under or for the purposes of a provision of this Act includes a reference to doing anything under or for the purposes of Part 3 of the Banking Act 2009. (3) In Schedule 8 to this Act "liquidator" includes a provisional liquidator or bank liquidator or administrator; and references above in this section to Parts AI to VII of this Act or Part 2 or 3 of the Banking Act 2009 are to be read as including the Companies Acts so far as relating to, and to matters connected with or arising out of, the insolvency or winding up of companies. (3A) In this section references to Part 2 or 3 of the Banking Act 2009 include references to those Parts as applied to building societies (see section 90C of the Building Societies Act 1986). (4) Rules under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.		

	(5) Regulations made by the Secretary of State or the Treasury under a power conferred by rules under this section shall be made by statutory instrument and, after being made, shall be laid before each House of Parliament. (6) Nothing in this section prejudices any power to make rules of court. (7) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Insolvency Act 1986, section 412(1) (as amended)	**Section 412 (Individual insolvency rules (England and Wales))** **(1)** The Lord Chancellor may, with the concurrence of the Secretary of State and, in the case of rules that affect court procedure, with the **concurrence** of the Lord Chief Justice, make rules for the purpose of giving effect to Parts 7A to 11 of this Act or the EU Regulation. (2) Without prejudice to the generality of subsection (1), or to any provision of those Parts by virtue of which rules under this section may be made with respect to any matter, rules under this section may contain— (a) any such provision as is specified in Schedule 9 to this Act or corresponds to provision contained immediately before the appointed day in rules made under section 132 of the Bankruptcy Act 1914; and (b) such incidental, supplemental and transitional provisions as may appear to the Lord Chancellor necessary or expedient.	The provision provides the LC, with the concurrence of the LCJ or nominee, power to make individual insolvency rules affecting court procedure in order to give effect to Parts 7A to 11 of the Insolvency Act or the EU Regulation.	Delegation **in force from** April 2006.

	(2A) For the purposes of subsection (2), a reference in Schedule 9 to this Act to doing anything under or for the purposes of a provision of this Act includes a reference to doing anything under or for the purposes of the EU Regulation (in so far as the provision of this Act relates to a matter to which the EU Regulation applies). (2B) Rules under this section for the purpose of giving effect to the EU Regulation may not create a new relevant offence. (3) Rules under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament. (4) Regulations made by the Secretary of State under a power conferred by rules under this section shall be made by statutory instrument and, after being made, shall be laid before each House of Parliament. (5) Nothing in this section prejudices any power to make rules of court. (6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Insolvency Act 1986, section 413(3A) and 4(B) (as amended)	**Section 413 (Insolvency Rules Committee)** (1) The committee established under section 10 of the Insolvency Act 1976 (advisory committee on bankruptcy and winding-up rules) continues to exist for the purpose of being consulted under this section.	The provision requires the LCJ or nominee, following consultation with the LC, to appoint the judicial members of the Insolvency Rules Committee. It further requires the LC to consult the LCJ or nominee before he (the LC)	Delegation **in force from** April 2006.

	(2) The Lord Chancellor shall consult the committee before making any rules under section 411 or 412 other than rules which contain a statement that the only provision made by the rules is provision applying rules made under section 411, with or without modifications, for the purposes of provision made by any of sections 23 to 26 of the Water Industry Act 1991 or Schedule 3 to that Act or by any of sections 59 to 65 of, or Schedule 6 or 7 to, the Railways Act 1993. (3) Subject to the next subsection, the committee shall consist of— (a) a judge of the High Court attached to the Business and Property Division; (b) a circuit judge; (c) an insolvency and companies court judge; (d) a district judge; (e) a practising barrister; (f) a practising solicitor; and (g) a practising accountant; and the appointment of any person as a member of the committee shall be made in accordance with subsection (3A) or (3B). **(3A)** The Lord Chief Justice must appoint the persons referred to in paragraphs (a) to (d) of subsection (3), after **consulting** the Lord Chancellor. **(3B)** The Lord Chancellor must appoint the persons referred to in paragraphs (e) to (g) of subsection (3), after **consulting** the Lord Chief Justice. (4) The Lord Chancellor may appoint as additional members of the committee any persons appearing to him to	appoints the non-judicial members of the Committee.	

	have qualifications or experience that would be of value to the committee in considering any matter with which it is concerned. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Insolvency Act 1986, section 420(1) and (2) (as amended)	**Section 420 (Insolvent partnerships)** **(1)** The Lord Chancellor may, by order made with the **concurrence** of the Secretary of State and the Lord Chief Justice, provide that such provisions of this Act as may be specified in the order shall apply in relation to insolvent partnerships with such modifications as may be so specified. (1A) An order under this section may make provision in relation to the EU Regulation. (1B) But provision made by virtue of this section in relation to the EU Regulation may not create a new relevant offence. **(2)** An order under this section may make different provision for different cases and may contain such incidental, supplemental and transitional provisions as may appear to the Lord Chancellor and the Lord Chief Justice necessary or expedient. (3) An order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.	The provision provides the LC, with the concurrence of the LCJ or nominee and the Secretary of State, power, by Order, to apply provisions in the Insolvency Act to insolvent partnerships. It further provides the LC and the LCJ or nominee to specify any other provisions in such an Order as necessary or expedient.	Delegation **in force from** April 2006.

	(4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Insolvency Act 1986, section 421(1) and (2) (as amended)	**Section 421 (Insolvent estates of deceased persons.)** **(1)** The Lord Chancellor may, by order made with the **concurrence** of the Secretary of State and the Lord Chief Justice, provide that such provisions of this Act as may be specified in the order shall apply in relation to the administration of the insolvent estates of deceased persons with such modifications as may be so specified. (1A) An order under this section may make provision in relation to the EU Regulation. (1B) But provision made by virtue of this section in relation to the EU Regulation may not create a new relevant offence. **(2)** An order under this section may make different provision for different cases and may contain such incidental, supplemental and transitional provisions as may appear to the Lord Chancellor and the Lord Chief Justice necessary or expedient. (3) An order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament. (4) For the purposes of this section the estate of a deceased person is insolvent if, when realised, it will be insufficient to meet in full all the debts and other liabilities to which it is subject.	The provision provides the LC, with the concurrence of the LCJ or nominee and the Secretary of State, power, by Order, to apply provisions in the Insolvency Act to the administration of insolvent estates of deceased persons. It further provides the LC and the LCJ or nominee to specify any other provisions in such an Order as necessary or expedient.	Delegation **in force from** April 2006.

	(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Civil Procedure Act 1997, Section 5 (as amended)	**Section 5 (Practice directions)** (1) Practice directions may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005. **(2)** Practice directions given otherwise than under subsection (1) may not be given without the approval of– (a) the Lord Chancellor, and **(b)** the Lord Chief Justice. (3) Practice directions (whether given under subsection (1) or otherwise) may provide for any matter which, by virtue of paragraph 3 of Schedule 1, may be provided for by Civil Procedure Rules. (4) The power to give practice directions under subsection (1) includes power– (a) to vary or revoke directions given by any person; (b) to give directions containing different provision for different cases (including different areas); (c) to give directions containing provision for a specific court, for specific proceedings or for a specific jurisdiction. (5) Subsection (2)(a) does not apply to directions to the	The provision provides the LCJ, or nominee, power to issue Practice Directions for the civil courts. See further comments for the scope of the delegation.	The power to delegate the functions under this provision is contained in Constitutional Reform Act 2005, schedule 2, part 1, paragraph 2(2). Delegation **in force from** 22 February 2010. The ambit of the delegation is limited and only provides the PBPD with power to act as the LCJ's nominee in respect of the following: (a) The making of Practice Directions which supplement the Rules for the time being in force under s.411-413 of the Insolvency Act 1986; (b) The making of Practice Directions which supplement the Rules for the time being in force under s.411 of the Insolvency Act 1986 in relation to disqualification proceedings. At present, these are the Insolvent Companies (Disqualification of Unfit Directors) Proceedings Rules 1987; (c) The making of Practice Directions

	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. **(6)** Subsection (2)(a) does not apply to 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 given only– (a) after consulting the Lord Chancellor, and **(b)** with the approval of the Lord Chief Justice.		which supplement the Rules for the time being in force under s411 – 413 of the Insolvency Act 1986. At the present, these are the Bank Insolvency (England and Wales) Rules 2009; (d) The making of Practice Directions which supplement the Rules for the time being in force under s411 – 413 of the Insolvency Act 1986. At the present, these are the Bank Administration (England and Wales) Rules 2009; and (e) The making of Practice Directions which supplement the Rules for the time being in force under s411 – 413 of the Insolvency Act 1986. At the present, these are the Building Societies (Insolvency and Special Administration) Order 2009. (See further the delegations to the Master of the Rolls.)
Enterprise Act 2002, section 268 (as amended)	**Section 268 (Disqualification from office: general)** (1) The Secretary of State may make an order under this section in relation to a disqualification provision. (2) A "disqualification provision" is a provision which disqualifies (whether permanently or temporarily and whether absolutely or conditionally) a bankrupt or a class of bankrupts from— (a) being elected or appointed to an office or	The provision provides the Secretary of State make provision, by Order, concerning the disqualification of bankrupts from holding certain offices etc. Such Order, with the concurrence of the LCJ nominee, may provide for an appeal from a disqualification decision to lie to a specified court or tribunal.	Delegation **in force from** April 2006.

	position, (b) holding an office or position, or (c) becoming or remaining a member of a body or group. (3) In subsection (2) the reference to a provision which disqualifies a person conditionally includes a reference to a provision which enables him to be dismissed. (4) An order under subsection (1) may repeal or revoke the disqualification provision. (5) An order under subsection (1) may amend, or modify the effect of, the disqualification provision— (a) so as to reduce the class of bankrupts to whom the disqualification provision applies; (b) so as to extend the disqualification provision to some or all individuals who are subject to a bankruptcy restrictions regime; (c) so that the disqualification provision applies only to some or all individuals who are subject to a bankruptcy restrictions regime; (d) so as to make the application of the disqualification provision wholly or partly subject to the discretion of a specified person, body or group. (6) An order by virtue of subsection (5)(d) may provide for a discretion to be subject to— (a) the approval of a specified person or body; (b) appeal to a specified person or body. (7) An order by virtue of subsection (5)(d) may provide for a discretion to be subject to appeal to a specified court or tribunal; but any such order must–		

	(a) if it relates to England and Wales, be made with the **concurrence** of the Lord Chief Justice of England and Wales; (b) if it relates to Northern Ireland, be made with the concurrence of the Lord Chief Justice of Northern Ireland. (8) The Secretary of State may specify himself for the purposes of subsection (5)(d) or (6)(a) or (b). (9) In this section "bankrupt" means an individual— (a) who has been adjudged bankrupt by a court in England and Wales or in Northern Ireland, (b) whose estate has been sequestrated by a court in Scotland, or (c) who has made an agreement with creditors of his for a composition of debts, for a scheme of arrangement of affairs, for the grant of a trust deed or for some other kind of settlement or arrangement. (10) In this section "bankruptcy restrictions regime" means an order or undertaking— (a) under Schedule 4A to the Insolvency Act 1986 (c. 45) (bankruptcy restrictions orders), or (b) under any system operating in Scotland or Northern Ireland which appears to the Secretary of State to be equivalent to the system operating under that Schedule. (11) In this section— "body" includes Parliament and any other legislative body, and "provision" means—(a) a provision made by an Act of Parliament passed		

	before or in the same Session as this Act, and (b) a provision made, before or in the same Session as this Act, under an Act of Parliament. (12) An order under this section— (a) may make provision generally or for a specified purpose only, (b) may make different provision for different purposes, and (c) may make transitional, consequential or incidental provision. (13) An order under this section— (a) must be made by statutory instrument, and (b) may not be made unless a draft has been laid before and approved by resolution of each House of Parliament. (14) A reference in this section to the Secretary of State shall be treated as a reference to the National Assembly for Wales in so far as it relates to a disqualification provision which— (a) is made by the National Assembly for Wales, or (b) relates to a function of the National Assembly. (15) Provision made by virtue of subsection (7) is subject to any order of the Lord Chancellor under section 56(1) of the Access to Justice Act 1999 (c. 22) (appeals: jurisdiction). **(16)** The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (7). (17) The Lord Chief Justice of Northern Ireland may		

	nominate any of the following to exercise his functions under subsection (7)– (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002; (b) a Lord Justice of Appeal (as defined in section 88 of that Act).		
Tribunals, Courts and Enforcement Act 2007, schedule 2, paragraph 6(3)	**Paragraph 6 (Certain judges neither appointed under paragraph 1(1) nor transferred into the First-tier Tribunal)** (1) In this paragraph "judge by request of the First-tier Tribunal" means a person who is a judge of the First-tier Tribunal but who– (a) is not the Senior President of Tribunals, and (b) is not a judge of the First-tier Tribunal appointed under paragraph 1(1), (c) is not a transferred-in judge of the First-tier Tribunal, (d) is not a Chamber President, or Acting Chamber President or Deputy Chamber President, of a chamber of the First-tier Tribunal, (e) is not a judge of the First-tier Tribunal by virtue of section 4(1)(e) (chairman of employment tribunal), and (g) is not a judge of the First-tier tribunal by virtue of section 4(2) (criminal injuries compensation adjudicator appointed by the Scottish Ministers). (2) A judge by request of the First-tier Tribunal may act as a judge of the First-tier Tribunal only if requested to do so by the Senior President of Tribunals. (3) Such a request made to a person who is a judge of the First-tier Tribunal by virtue of the combination of sections	The provision permits the Senior President of Tribunals, with the concurrence of the LCJ or nominee, to authorise certain categories of judicial office holder to sit as a 'judge by request of the First-tier Tribunal. The PBPD is the LCJ's nominee in respect of concurrence to requests for judges of the Business and Property Division to sit as judges of the First-tier Tribunal under this provision.	Delegation **in force from** 14 December 2015. The delegation is made under powers given in section 46(1) and (2) of the Tribunals, Courts and Enforcement Act 2007.

	4(1)(c) and 5(1)(g) may be made only with– (a) the concurrence of the Lord Chief Justice of England and Wales where the person is– (i) an ordinary judge of the Court of Appeal in England and Wales, (ii) a puisne judge of the High Court in England and Wales, (iii) a circuit judge, (iv) a district judge in England and Wales, (v) a District Judge (Magistrates' Courts), [(vi) the Master of the Rolls, (vii) the President of the Queen's Bench Division of the High Court of England and Wales, (viii) the President of the Family Division of that court, (ix) the Chancellor of that court, (x) a deputy judge of that court, or (xi) the Judge Advocate General; (b) the concurrence of the Lord President of the Court of Session where the person is– (i) a judge of the Court of Session, or (ii) a sheriff; (c) the concurrence of the Lord Chief Justice of Northern Ireland where the person is– (i) a Lord Justice of Appeal in Northern Ireland, (ii) a puisne judge of the High Court in Northern Ireland, (iii) a county court judge in Northern Ireland, or (iv) a district judge in Northern Ireland. (3A) A request made under sub-paragraph (2) to a person		

	who is a judge of the First-tier Tribunal by virtue of section 4(1)(ca) may be made only with the concurrence of the Lord Chief Justice of England and Wales. (4) Sub-paragraph (5) applies– (a) to a judge by request of the First-tier Tribunal, (b) to a person who is a judge of the First-tier Tribunal by virtue of section 4(1)(e) (chairman of employment tribunal) [.] 6 (5) The Lord Chancellor may pay to a person to whom this sub-paragraph applies such amounts (if any) as the Lord Chancellor may determine by way of– (a) remuneration; (b) allowances; (c) expenses.		
Tribunals, Courts and Enforcement Act 2007, schedule 3, paragraph 6(3)	**Paragraph 6 (Certain judges neither appointed under paragraph 1(1) nor transferred into the Upper Tribunal)** (1) In this paragraph "judge by request of the Upper Tribunal" means a person who is a judge of the Upper Tribunal but– (a) is not the Senior President of Tribunals, (b) is not a judge of the Upper Tribunal appointed under paragraph 1(1), (c) is not a transferred-in judge of the Upper Tribunal, (e) is not a deputy judge of the Upper Tribunal, and (f) is not a Chamber President, or Acting Chamber President or Deputy Chamber	The provision permits the Senior President of Tribunals, with the concurrence of the LCJ or nominee, to authorise certain categories of judicial office holder to sit as a 'judge by request of the Upper Tribunal. The PBPD is the LCJ's nominee in respect of concurrence to requests for judges of the Business and Property Division to sit as judges of the Upper Tribunal under this provision.	Delegation **in force from** 30 June 2010. The delegation is made under powers given in section 46(1) and (2) of the Tribunals, Courts and Enforcement Act 2007.

	President, of a chamber of the Upper Tribunal. (2) A judge by request of the Upper Tribunal may act as a judge of the Upper Tribunal only if requested to do so by the Senior President of Tribunals. **(3)** Such a request made to a person who is a judge of the Upper Tribunal by virtue of section 5(1)(g) may be made only with– (a) the **concurrence** of the Lord Chief Justice of England and Wales where the person is– (i) an ordinary judge of the Court of Appeal in England and Wales, (ii) a puisne judge of the High Court in England and Wales, (iii) a circuit judge, (iv) a district judge in England and Wales, (v) a District Judge (Magistrates' Courts), (vi) the Master of the Rolls, (vii) the President of the Queen's Bench Division of the High Court of England and Wales, (viii) the President of the Family Division of that court, (ix) the Chancellor of that court, (x) a deputy judge of that court, or (xi) the Judge Advocate General; (b) the concurrence of the Lord President of the Court of Session where the person is– (i) a judge of the Court of Session, or		

	(ii) a sheriff; (c) the concurrence of the Lord Chief Justice of Northern Ireland where the person is– (i) a Lord Justice of Appeal in Northern Ireland, (ii) a puisne judge of the High Court in Northern Ireland, (iii) a county court judge in Northern Ireland, or (iv) a district judge in Northern Ireland. (4) The Lord Chancellor may pay to a judge by request of the Upper Tribunal, or a person who is a judge of the Upper Tribunal by virtue of section 5(1)(d), such amounts (if any) as the Lord Chancellor may determine by way of– (a) remuneration; (b) allowances; (c) expenses.		

Delegation to the Senior Presiding Judge[7]

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Children and Young Persons Act 1933, Section 45(3) and (4) (as amended)	**Section 45 (Youth courts)** (1) Magistrates' courts– (a) constituted in accordance with this section or section 66 of the Courts Act 2003 (judges having powers of District Judges (Magistrates' Courts)), and (b) sitting for the purpose of– (i) hearing any charge against a child or young person, or (ii) exercising any other jurisdiction conferred on youth courts by or under this or any other Act, are to be known as youth courts. (2) A justice of the peace is not qualified to sit as a member of a youth court for the purpose of dealing with any proceedings unless he has an authorisation extending to the proceedings. **(3)** He has an authorisation extending to the proceedings only if he has been authorised by the Lord Chief Justice, with the **concurrence** of the Lord Chancellor, to sit as a member of a youth court to deal with–	The provision gives the LCJ or nominee with the concurrence of the LC to: i) authorise justices of the peace to sit as a member of a youth court in either specified proceedings or all proceedings dealt with by such a court; ii) make rules concerning the grant and revocation of such authorisations, the appointment of youth court chairman, and composition of youth courts. Rules made must also only be made following consultation with the Criminal Procedure Rule Committee. NB: Where such rules confer power on the LCJ, they may be carried out on the LCJ's behalf by a judge nominated by the LCJ – see s45(9) of the Act.	Delegation **in force** from April 2006.

[7] SPJ will act on behalf of the Lady Chief Justice as judge with portfolio responsibility for the magistrates' courts and all issues relating to them, save for conduct and discipline matters which are dealt with through the separate arrangements for such matters and where legal jurisdiction falls to others, such as authorisation to sit in the Family Court which rests with the President of the Family Division.

	(a) proceedings of that description, or (b) all proceedings dealt with by youth courts. **(4)** The Lord Chief Justice may, with the **concurrence** of the Lord Chancellor, by rules make provision about– (a) the grant and revocation of authorisations, (b) the appointment of chairmen of youth courts, and (c) the composition of youth courts. **(5)** Rules under subsection (4) may confer powers on the Lord Chancellor or Lord Chief Justice with respect to any of the matters specified in the rules. (6) Rules under subsection (4) may be made only after consultation with the Criminal Procedure Rule Committee. (7) Rules under subsection (4) are to be made by statutory instrument. (8) A statutory instrument containing rules under subsection (4) is subject to annulment in pursuance of a resolution of either House of Parliament. **(9)** The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under **subsection (3) or (4) or his powers under rules under subsection (4)**.		
Senior Courts Act 1981, section 57(2) (as amended)	**Section 57 (Sittings and vacations of the Court of Appeal)** (1) Sittings of the Court of Appeal may be held, and any other business of the Court of Appeal may be conducted, at	The provision provides the LC, following consultation with the LCJ or nominee, (subject to rules of court) to give directions for determining when and where the Court of Appeal may sit	Delegation **in force** from July 2008.

	any place in England or Wales. **(2)** Subject to rules of court— (a) the places at which the Court of Appeal sits outside the Royal Courts of Justice; and (b) the days and times at which the Court of Appeal sits at any place outside the Royal Courts of Justice, shall be determined in accordance with directions given by the Lord Chancellor after **consulting** the Lord Chief Justice. (3) Rules of court may make provision for regulating the vacations to be observed by the Court of Appeal and in the offices of that court. (4) Rules of court— (a) may provide for securing such sittings of the civil division of the Court of Appeal during vacation as the Master of the Rolls may with the concurrence of the Lord Chancellor determine; (b) without prejudice to paragraph (a), shall provide for the transaction during vacation by judges of the Court of Appeal of all such business in the civil division of that court as may require to be immediately or promptly transacted; and (c) shall provide for securing sittings of the criminal division of that court during vacation if necessary. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.	outside the Royal Courts of Justice.	

Senior Courts Act 1981, section 71(2) (as amended)	**Section 71 (Sittings and vacations of the High Court)** (1) Sittings of the High Court may be held, and any other business of the High Court may be conducted, at any place in England or Wales. **(2)** Subject to rules of court— (a) the places at which the High Court sits outside the Royal Courts of Justice; and (b) the days and times when the High Court sits at any place outside the Royal Courts of Justice, shall be determined in accordance with directions given by the Lord Chancellor after **consulting** the Lord Chief Justice. (3) Rules of court may make provision for regulating the vacations to be observed by the High Court and in the offices of that court. (4) Rules of court— (a) may provide for securing such sittings of any Division of the High Court during vacation as the senior judge of that Division may with the concurrence of the Lord Chancellor determine; and (b) without prejudice to paragraph (a), shall provide for the transaction during vacation by judges of the High Court of all such business in the High Court as may require to be immediately or promptly transacted. (5) Different provision may be made in pursuance of subsection (3) for different parts of the country. (6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional	The provision provides the LC, following consultation with the LCJ or nominee, (subject to rules of court) to give directions for determining when and where the High Court may sit outside the Royal Courts of Justice.	Delegation **in force** from April 2006.

	Reform Act 2005) to exercise his functions under this section.		
Senior Courts Act 1981, section 78(3) (as amended)	**Section 78 (Sittings of the Crown Court)** (1) Any Crown Court business may be conducted at any place in England or Wales, and the sittings of the Crown Court at any place may be continuous or intermittent or occasional. (2) Judges of the Crown Court may sit simultaneously to take any number of different cases in the same or different places, and may adjourn cases from place to place at any time. **(3)** The places at which the Crown Court sits, and the days and times at which the Crown Court sits at any place, shall be determined in accordance with directions given by the Lord Chancellor **after consulting** the Lord Chief Justice. (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.	The provision provides the LC, following consultation with the LCJ or nominee, power to give directions for determining when and where the Crown Court may sit.	Delegation **in force** from April 2006.
Judicial Pensions Act 1981, section 7(1A) (as amended)	**Section 7 (Stipendiary magistrates in England and Wales – Pensions)** (1) A stipendiary magistrate in England or Wales may on the recommendation of the Lord Chancellor be granted a pension if he retires after not less than 2 years service, and— (a) at the time of his retirement he has attained the age of 65, or (b) the Lord Chancellor is satisfied by means of a	The provision provides that a stipendiary magistrate may be granted a pension, after at least two years' service, if the Lord Chancellor is satisfied of the judge's permanent incapacity. The Lord Chancellor must consult the Lord Chief Justice before making a recommendation.	Delegation **in force** from April 2006.

	medical certificate that by reason of infirmity of mind or body he is incapable of discharging the duties of his office, and that the incapacity is likely to be permanent. **(1A)** The Lord Chancellor must **consult** the Lord Chief Justice before making a recommendation in a case that falls within subsection (1)(b). (2) The annual rate of a pension payable under this section to a person retiring after not less than 20 years service shall not exceed one half of his last annual salary. (3) The annual rate of a pension payable under this section to a person retiring after less than 20 years service shall not exceed— (a) if the period of service amounts to less than 5 (but not less than 2) years, 6/80ths of his last annual salary, (aa) if the period of service amounts to less than 10 years (but not less than 5), 15/80th of his last annual salary plus 1/80th for each completed year of service exceeding 5, (b) if the period of service amounts to not less than 10 years (but less than 20), one quarter of that salary plus 2/80ths for each completed year of service after the first 10 years. (4) A person to whom a pension is granted under this section on retirement on a medical certificate shall, until he attains the age of 65, be liable to be called upon to fill any public office or situation under the Crown in the United Kingdom for which his previous public services may render him eligible: and if he declines, when called upon to do so, to take upon him such office or situation, or declines or		

	neglects to execute the duties thereof satisfactorily, being in a competent state of health, he shall forfeit his right to the pension which has been granted to him. (5) Any sums payable on account of a pension under this section shall be paid at such times in each year as the Treasury may determine. (6) In this section "service" means service as a stipendiary magistrate in England or Wales. (7) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
County Courts Act 1984, section 3(2A) (as amended)	**Section 3 (Places and times of sittings)** (1) Sittings of the county court may be held, and any other business of the county court may be conducted, anywhere in England and Wales. (1A) Sittings of the county court at any place may be continuous or intermittent or occasional. (2) Sittings of the county court may be held simultaneously to take any number of different cases in the same place or different places, and the court may adjourn cases from place to place at any time. **(2A)** The places at which the county court sits, and the days and times at which it sits in any place, are to be determined in accordance with directions given by the Lord Chancellor after **consulting** the Lord Chief Justice.	The provision gives the LC, following consultation with the LCJ or nominee, power to determine the sitting days, times and locations of the County Court.	Delegation **in force** from April 2006.

	(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
County Courts Act 1984, section 8(1), (3A)(a) and (3C) (as amended)	**Section 8 (Deputy district judges)** **(1)** If it appears to the **Lord Chief Justice** that it is expedient to do so in order to facilitate the disposal of business in the county court or any other court or tribunal to which a person appointed under this subsection may be deployed, **he may appoint** a person to be a deputy district judge. (1ZA) A person is qualified for appointment under subsection (1) only if the person– (a) is qualified for appointment as a district judge, or (b) holds, or has held, the office of district judge. (1A) Any appointment of a person as a deputy district judge must not be such as to, or be extended so as to, extend beyond the day on which the person attains the age of 75. (1C) A deputy district judge appointed under this section has the same powers as if he were a district judge other than a district judge's power to act in a district registry of the High Court. (3) The Lord Chancellor may pay to any person appointed under this section as deputy district judge such remuneration and allowances as he may, with the approval of the Treasury, determine. **(3A)** A person appointed under this section may be	The provision gives the LCJ or nominee power to appoint deputy district judges, and to concur or not with their removal from office by the LC or agree, or not, to an extension of their term of office.	Delegation **in force** from 14 December 2015.

	removed from office as a deputy district judge— **(a)** only by the Lord Chancellor with the **agreement of the Lord Chief Justice**, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment. (3B) Subject to subsections (1A) and (3C), the term of a person's appointment under this section (including a term already extended under this subsection) must be extended by the Lord Chancellor before its expiry. **(3C)** Extension under subsection (3B)— (a) requires the person's agreement, (b) is to be for such term as the Lord Chancellor thinks fit, and (c) may be refused on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment, but only with any **agreement of the Lord Chief Justice,** or a **nominee** of the Lord Chief Justice, that may be required by those terms. (3D) Subject to the preceding provisions of this section, a person appointed under this section is to hold and vacate office as a deputy district judge in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine.		

	(3E) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005) to exercise the Lord Chief Justice's functions under subsection **(1)** or **(3A)(a).** (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1B).		
Crime and Disorder Act 1998, section 10(6) (as amended)	**Section 10 (Appeals against parenting orders)** (1) An appeal shall lie— (a) to the county court against the making of a parenting order by virtue of paragraph (a) of subsection (1) of section 8 above; and (b) to the Crown Court against the making of a parenting order by virtue of paragraph (b) of that subsection. (2) On an appeal under subsection (1) above the county court or the Crown Court— (a) may make such orders as may be necessary to give effect to its determination of the appeal; and (b) may also make such incidental or consequential orders as appear to it to be just. (3) Any order of the county court or the Crown Court made on an appeal under subsection (1) above (other than one directing that an application be re-heard by a magistrates' court) shall, for the purposes of subsections (5) to (7) of section 9 above, be treated as if it were an order of the court from which the appeal was brought and not an order of the county court or the Crown Court.	The provision gives the LC, with the concurrence of the LCJ or nominee, power to specify, by Order, the circumstances when appeals from parenting orders to the County Court concerning decisions relating to the transfer or proposed transfer of proceedings under paragraph 2, schedule 11 of the Children Act 1989.	Delegation **in force** from April 2006.

	(6) The Lord Chancellor may, with the **concurrence** of the Lord Chief Justice, by order make provision as to the circumstances in which appeals under subsection (1)(a) above may be made against decisions taken by courts on questions arising in connection with the transfer, or proposed transfer, of proceedings by virtue of any order under paragraph 2 of Schedule 11 (jurisdiction) to the Children Act 1989 ("the 1989 Act"). (7) Except to the extent provided for in any order made under subsection (6) above, no appeal may be made against any decision of a kind mentioned in that subsection. (8) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
International Criminal Court Act 2001, section 26 (as amended)	**Section 26 (Meaning of "appropriate judicial officer" and "competent court")** (1) For the purposes of this Part– "appropriate judicial officer" means– (b) a District Judge (Magistrates' Courts) designated for the purposes of this Act by the Lord Chief Justice of England and Wales after **consulting** the Lord Chancellor, or (c) the Sheriff of Lothian and Borders; and "competent court" means a court consisting of an appropriate judicial officer. (2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional	The provision provides the LCJ or nominee, after consulting the LC, power to designate a District Judge (Magistrates' Court) as an appropriate judicial officer for the arrest and delivery of persons following an appropriate request from the International Criminal Court.	Delegation **in force** from April 2006.

	Reform Act 2005) to exercise his functions under this section.		
Extradition Act 2003, section 67(1)(a) (as amended)	**Section 67 (The appropriate judge)** **(1)** The appropriate judge is— **(a)** in England and Wales, a District Judge (Magistrates' Courts) designated for the purposes of this Part by the Lord Chief Justice of England and Wales after **consulting** the Lord Chancellor; (b) in Scotland, the sheriff of Lothian and Borders; (c) in Northern Ireland, such county court judge or resident magistrate as is designated for the purposes of this Part by the Lord Chief Justice of Northern Ireland after consulting the Department of Justice in Northern Ireland. (2) A designation under subsection (1) may be made for all cases or for such cases (or cases of such description) as the designation stipulates. (3) More than one designation may be made under subsection (1). (3A) The use of the expression "the judge" in a section containing a previous reference to "the appropriate judge" or "the judge" does not in itself require both references to be read as referring to the same individual. (4) This section applies for the purposes of this Part. (5) The Lord Chief Justice of England and Wales may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1)(a).	The provision gives the LCJ or nominee, following consultation with the LC, power to designate judges to deal with matters arising under Part 1 of the Extradition Act 2003.	Delegation **in force** from April 2006. As a general rule DJ (Magistrates' Courts) are designated under this provision.

	(6) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise his functions under subsection (1)(c)– (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002; (b) a Lord Justice of Appeal (as defined in section 88 of that Act).		
Extradition Act 2003, section 139(1)(a) (as amended)	**Section 139 (The appropriate judge)** **(1)** The appropriate judge is— **(a)** in England and Wales, a District Judge (Magistrates' Courts) designated for the purposes of this Part by the Lord Chief Justice of England and Wales after **consulting** the Lord Chancellor; (b) in Scotland, the sheriff of Lothian and Borders; (c) in Northern Ireland, such county court judge or resident magistrate as is designated for the purposes of this Part by the Lord Chief Justice of Northern Ireland after consulting the Department of Justice in Northern Ireland. (2) A designation under subsection (1) may be made for all cases or for such cases (or cases of such description) as the designation stipulates. (3) More than one designation may be made under subsection (1). (3A) The use of the expression "the judge" in a section containing a previous reference to "the appropriate judge" or "the judge" does not in itself require both references to	The provision gives the LCJ or nominee, following consultation with the LC, power to designate judges to deal with matters arising under Part 2 of the Extradition Act 2003.	Delegation **in force** from April 2006. As a general rule DJ (Magistrates' Courts) are designated under this provision.

	be read as referring to the same individual. (4) This section applies for the purposes of this Part. (5) The Lord Chief Justice of England and Wales may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1)(a). (6) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise his functions under subsection (1)(c)– (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002; (b) a Lord Justice of Appeal (as defined in section 88 of that Act).		
Courts Act 2003, section 8(5A) (as amended)	**Section 8 (Local justice areas)** (1) England and Wales is to be divided into areas to be known as local justice areas. (2) The areas are to be those specified by an order made by the Lord Chancellor. (3) Each local justice area established by order under subsection (2) is to be known by such name as is specified in the order (but subject to subsection (4)). (4) The Lord Chancellor may make orders altering local justice areas. (5) "Altering", in relation to a local justice area, includes (as well as changing its boundaries)–	The provision provides the LC, following consultation with the LCJ or nominee, power to alter local justice areas.	Delegation **in force** from April 2006.

	(a) combining it with one or more other local justice areas, (b) dividing it between two or more other local justice areas, and (c) changing its name. **(5A)** Before making any order under subsection (2) or (4), the Lord Chancellor must **consult** the Lord Chief Justice. (6) Before making an order under subsection (4) in relation to a local justice area the Lord Chancellor must consult– (a) the justices of the peace assigned to the local justice area, and (c) unless the alteration consists only of a change of name, any local authorities whose area includes the local justice area or a part of the local justice area. (7) "Local authority" means– (a) any council of a county, a county borough, a London borough or a council of a district, (b) the Common Council of the City of London, or (c) a police and crime commissioner or the Mayor's Office for Policing and Crime. (8) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Courts Act 2003, sections 10(1), 10(2), 10(2ZA) and (3) (as amended)	**Section 10 (Appointment of lay justices etc)** **(1)** Lay justices are to be appointed for England and Wales by the Lord Chief Justice by instrument on behalf and in the name of Her Majesty.	The provision gives the LCJ or nominee power to appoint lay justices under section 10(1) and 10(6A) and to ensure relevant arrangements are carried out under section 10(2ZA) in respect of such appointments.	Delegation **in force** from 30 July 2008 in respect of section 10(2) and 10(3). Delegation **in force** from 14 December 2015 in respect of section

	(1A) Subject to the following provisions of this section and to sections 11 to 15, a person appointed under subsection (1) is to hold and vacate office as a justice of the peace in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. **(2)** The Lord Chief Justice – (a) must assign each lay justice to one or more local justice areas, and (b) may change an assignment so as to assign the lay justice to a different local justice area or to different local justice areas. **(2ZA)** The Lord Chief Justice must ensure that arrangements for the exercise, so far as affecting any local justice area, of the function under subsection (1) include arrangements for **consulting persons** appearing to the Lord Chief Justice to have special knowledge of matters relevant to the exercise of that function in relation to that area. (2A) The Lord Chancellor must ensure that arrangements for the exercise, so far as affecting any local justice area, of functions under subsection (2) include arrangements for consulting persons appearing to him to have special knowledge of matters relevant to the exercise of those functions in relation to that area. **(3)** Every lay justice is, by virtue of his office, capable of acting as such in any local justice area (whether or not he is assigned to it); but he may do so only in accordance with arrangements made by Lord Chief Justice. (4) Rules may make provision about the training courses to be completed before a person may exercise functions as a lay justice in any proceedings or class of proceedings	The provision gives the LCJ or nominee power to assign and reassign lay magistrates to local justice areas. (A separate duty is imposed on the LC to ensure that such arrangements for consultation are also in place.) The provision also provides the LCJ or nominee power to make arrangements for lay magistrates to act as such in local justice areas to which they are not assigned.	10(1) and 10(2ZA).

	specified in the rules. (5) Subsection (3) is subject to section 12 (the supplemental list). (6) The functions conferred on the Lord Chief Justice by subsections (2) and (3) may be exercised only after consulting the Lord Chancellor. **(6A)** The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005) to exercise functions of the Lord Chief Justice under subsection (1). **(7)** The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2), (2ZA) or (3).		
Courts Act 2003, sections 13(3) (as amended)	**Section 13 (Entry of names in the supplemental list)** (1) Subject to subsection (3), the name of a lay justice who has reached 75 must be entered in the supplemental list. **(3)** Where– (a) proceedings are, or are expected to be, in progress on the day on which the lay justice reaches 75, and (b) the lay justice is exercising functions in those proceedings as a justice of the peace, the Lord Chief Justice may, with the **concurrence** of the Lord Chancellor, direct that the name of the lay justice need not be entered in the supplemental list until the proceedings have ended.	The provision gives the LCJ or nominee power, with the LC's concurrence, to direct that a lay justice who reaches 75 may not be entered on the supplemental list until live proceedings have concluded.	Delegation **in force** from April 2006. The power under section 13(5) **cannot** be delegated.

	(4) The name of a lay justice must be entered in the supplemental list if– (a) he applies for it to be entered, and (b) the application is approved by the Lord Chancellor. (5) The Lord Chancellor may, with the concurrence of the Lord Chief Justice, direct that the name of a lay justice is to be entered in the supplemental list on the ground of incapacity. (6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (3).		
Courts Act 2003, sections 16(4) (as amended)	**Section 16 (Records of lay justices)** (1) The Lord Chancellor– (a) must appoint a person to be keeper of the rolls for each local justice area, and (b) may appoint the same person to be keeper of the rolls for more than one local justice area. (2) The keeper of the rolls for a local justice area must be notified, in such manner as the Lord Chancellor may direct, of– (a) any assignment of a lay justice to the area, (b) any change in an assignment of a lay justice as a result of which he ceases to be assigned to the area, and (c) the fact that a lay justice assigned to the area has ceased to be a justice of the peace or that his name has been entered in or removed from the supplemental list.	The provision requires the LC to consult the LCJ or nominee prior to appointing a keeper of the rolls of a local justice area and before giving any direction concerning the manner in which the keeper of the rolls of a local justice area is to be notified of the assignment, change in assignment, cessation of assignment or entry onto the supplementary list of a lay justice.	Delegation **in force** from April 2006.

	(3) The keeper of the rolls for a local justice area must ensure that an accurate record is maintained of all lay justices for the time being assigned to the area. **(4)** The Lord Chancellor must consult the Lord Chief Justice before– (a) appointing a person under subsection (1), or (b) giving a direction under subsection (2). (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Courts Act 2003, sections 17(3) (as amended)	**Section 17 (Chairman and deputy chairmen: selection)** (1) For each local justice area there is to be– (a) a chairman of the lay justices assigned to the area, and (b) one or more deputy chairmen of those lay justices, chosen by them from among their number. (2) Rules may make provision– (a) subject to subsection (3), as to the term of office of the chairman and deputy chairmen, and (b) as to the number of deputy chairmen to be elected for any area. **(3)** The Lord Chief Justice may, with the **concurrence** of the Lord Chancellor, authorise a lay justice to continue to hold office as chairman or deputy chairman for the purposes of specified proceedings which are, or are expected to be, in progress on the day on which the lay justice's office would	The provision provides the LCJ or nominee, with the LC's concurrence, power to extend the term of office of a chairman or deputy chairman of lay justices until the end of any proceedings in progress as at the date at which their term of office would otherwise terminate.	Delegation **in force** from April 2006.

	otherwise end. (4) Any contested election for choosing the chairman or a deputy chairman is to be held by secret ballot. (5) Rules may make provision for the purposes of this section and may in particular make provision– (a) about the procedure for nominating candidates for election as a chairman or a deputy chairman; (b) about the procedure at such an election. (6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Courts Act 2003, Section 19(3) (as amended)	**Section 19 (Training, development and appraisal of lay justices)** (1) Rules may (in addition to making provision under sections 10(4) and 18(6)) make provision for, or in connection with, the training, development and appraisal of lay justices. (2) Such rules may make provision for committees, constituted in accordance with the rules, to have such functions as may be specified in the rules, including, in particular– (a) providing advice and support to lay justices in connection with their functions as lay justices; (b) identifying the training needs of lay justices; (c) appraising lay justices and reporting on the results of appraisals; (d) giving or withholding approval for the purposes of section 18;	The provision requires the LCJ or nominee to ensure, after consulting the LC, that appropriate training and training materials are provided to lay justices in order to ensure that are able to comply with training requirements imposed under any rules made under sections 10, 18 or 19 of the Act.	Delegation **in force** from April 2006.

	(e) advising the Lord Chief Justice in relation to authorisations of lay justices as judges of the family court or as members of youth courts; (f) granting or revoking such authorisations on behalf of the Lord Chief Justice. (3) The Lord Chief Justice must ensure that training and training materials that appear to him, after **consulting** the Lord Chancellor, to be appropriate are provided for lay justices with a view to enabling them to comply with requirements as to training imposed by rules under section 10 or 18 or this section. (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Courts Act 2003, Section 20(1) (as amended)	**Section 20 (Rules)** **(1)** In sections 10, 17, 18 and 19 "rules" means rules made by the Lord Chief Justice. (2) Before making any rules for the purposes of section 10, 17, 18 or 19 the Lord Chief Justice must **consult**– (za) the Lord Chancellor, (a) the Criminal Procedure Rule Committee, and (b) the Family Procedure Rule Committee. (3) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions of making the rules referred to in this section.	The provision provides that where the LCJ or nominee makes rules under sections 10, 17, 18 or 19 (see above) of the Act they must first consult the LC, Criminal and Family Procedure Rules Committees. The rules so made govern the procedure for training JPs, for selecting JPs to be chairman or deputy chairman for local justice areas, for determining who will preside in the absence of the bench chairman or deputy chairman, and for setting their term of office.	Delegation **in force** from April 2006.
Courts Act 2003,	**Section 21 (Duty to consult lay justices on matters**	The provision places a duty jointly on	Delegation **in force** from April 2006.

Section 21(1) (as amended)	**affecting them etc.)** **(1)** The **Lord Chancellor and the Lord Chief Justice must** take all reasonable and practicable steps– (a) for ensuring that lay justices acting in a local justice area are kept informed of matters affecting them in the performance of their duties, and (b) for ascertaining their views on such matters. (2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.	the LC and LCJ or nominee to take all reasonable and practicable steps to ensure lay justices are kept informed of matters concerning them in the performance of their duties and in order to obtain their views on such matters.	
Courts Act 2003, Section 25(2) (as amended)	**Section 25 (District Judges (Magistrates' Courts) as justices of the peace)** (1) A District Judge (Magistrates' Courts) is by virtue of his office a justice of the peace for England and Wales. **(2)** It is the duty of a District Judge (Magistrates' Courts) to act as a justice of the peace in any local justice area in accordance with arrangements made by the Lord Chief Justice, after **consulting** the Lord Chancellor. (3) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (2).	The provision provides the basis for the LCJ or nominee, following consultation with the LC, to make arrangements for the DJ (Magistrates' Courts) to act as a justice of the peace in any local justice area.	Delegation **in force** from April 2006.
Courts Act 2003, Section 28(1), (3) and (5) (as amended)	**Section 28 (Function of giving legal advice to justices of the peace)** (1) The Lord Chief Justice may authorise a person— (a) to give advice to justices of the peace about	The provision gives the LCJ power to authorise people to be legal advisers to magistrates. The LCJ may nominate a judicial office holder or a HMCTS court/ tribunal officer to exercise this	Delegation **in force** from April 2006.

	matters of law (including procedure and practice) on questions arising in connection with the discharge of their functions, including questions arising when the person is not personally attending on them, and (b) to bring to the attention of justices of the peace, at any time when the person thinks appropriate, any point of law (including procedure and practice) that is or may be involved in any question so arising. (2) For the purposes of subsection (1), the functions of justices of the peace do not include functions as a judge of the family court or the Crown Court. (3) The Lord Chief Justice may authorise a person under subsection (1) only if the person— (a) is appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) has such qualifications as may be prescribed by regulations made by the Lord Chancellor with the agreement of the Lord Chief Justice. (4) An authorisation under subsection (1)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. (5) The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007.	function. It gives the Lord Chancellor, with the agreement of the LCJ, the function of prescribing qualifications for such advisers.	

	(6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a) the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) In this section "judicial office holder" has the meaning given by section 109(4) of the Constitutional Reform Act 2005.		
Courts Act 2003, Section 30(1) and (7) (as amended)	**Section 30 (Places, dates and times of sittings)** **(1)** The Lord Chancellor may, after **consulting** the Lord Chief Justice, give directions as to the places in England and Wales at which magistrates' courts may sit. (2) In exercising his powers under subsection (1), the Lord Chancellor shall have regard to the need to ensure that court-houses are accessible to persons resident in each local justice area. (3) The Lord Chancellor may, with the concurrence of the Lord Chief Justice, give directions as to the distribution and transfer of the general business of magistrates' courts between the places specified in directions under subsection (1). (4) Directions under subsection (3) may, in particular, contain provision that, where a person is charged with an offence and is being required to appear before a magistrates' court, the place where he is required to appear is one of the places described in subsection (5).	The provision gives the LC power, after consulting the LCJ or nominee, to direct where Magistrates' courts may sit and when they may sit.	Delegation **in force** from April 2006. **NB:** The LCJ's functions under section **30(3)** of the Act **cannot** be delegated and must be carried out by the LCJ in person.

	(5) The places are– (a) a place in the local justice area in which the offence is alleged to have been committed; (b) a place in the local justice area in which the person charged with the offence resides; (c) a place in the local justice area in which the witnesses, or the majority of the witnesses, reside; (d) a place where other cases raising similar issues are being dealt with. **(7)** The Lord Chancellor may, after **consulting** the Lord Chief Justice, give directions as to the days on which and times at which magistrates' courts may sit. (8) Subject to any directions under subsection (7), the business of magistrates' courts may be conducted on any day and at any time. (9) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1) or (7).		
Courts Act 2003, Section 34(5) (as amended)	**Section 34 (Costs in legal proceedings)** (1) A court may not order a justice of the peace to pay costs in any proceedings in respect of what he does or omits to do in the execution (or purported execution) of his duty as a justice of the peace. (3) But subsection (1) does not apply in relation to any	The provision authorises the LC, after consulting the LCJ or nominee, to make Regulations specifying (i) when a court must or must not exercise the power to order the LC to pay costs of proceedings where a court is barred from ordering a justice of the peace from paying such costs; and (ii) how the amount of such costs is to be determined.	Delegation **in force** from April 2006.

	proceedings in which a justice of the peace, justices' clerk or assistant clerk– (a) is being tried for an offence or is appealing against a conviction, or (b) is proved to have acted in bad faith in respect of the matters giving rise to the proceedings. (4) A court which is prevented by subsection (1) from ordering a justice of the peace to pay costs in any proceedings may instead order the Lord Chancellor to make a payment in respect of the costs of a person in the proceedings. **(5)** The Lord Chancellor may, after **consulting** the Lord Chief Justice, make regulations specifying– (a) circumstances in which a court must or must not exercise the power conferred on it by subsection (4), and (b) how the amount of any payment ordered under subsection (4) is to be determined. (6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		

Delegation to the Senior President of Tribunals

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Agriculture Act 1947, schedule 9, paragraph 16A(1)	**Schedule 9, paragraph 16A (Nomination of deputy chairman to discharge chairman's functions)** **(1)** If the Chairman of the Agricultural Land Tribunal is prevented by sickness or any other reason from making nominations under sub-paragraphs (1) and (2) of the last foregoing paragraph or from otherwise discharging the duties of his office, those duties may be discharged by a person appointed from the panel of deputy-chairmen by the chairman or, if the chairman is unable to make the appointment, by the Lord Chief Justice, after **consulting** the Lord Chancellor. (2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under sub-paragraph (1).	The provision enables the LCJ or nominee, after consulting the LC, to authorise a deputy chairman of the ALT to discharge certain functions of the chairman in specified circumstances.	Delegation **in force** from 2009. The delegation was originally made to Lord Justice Carnwath in January 2007 until his appointment as Senior President of Tribunals in November 2007. From November 2007 until October 2009 the delegation was to the Senior President of Tribunals.
Transport Act 1985, schedule 4, paragraph 10(1) and (1A) (as amended)	**Schedule 4, paragraph 10 (Judicial members of Transport Tribunal)** **(1)** The president or, in his absence, such one of the other judicial members as the president or (if the president is unable for any reason to exercise the power conferred on him by this subparagraph) the Lord Chief Justice **may direct**, shall preside at any sitting of the tribunal. **(1A)** Before exercising his functions under sub-paragraph	The provision gives the LCJ or nominee, after consulting the LC and with the agreement of the Lord President of the Court of Session, to authorise a judicial member of the Transport Tribunal in the absence of the President of that Tribunal to preside over the Tribunal.	Delegation in force from March 2009.

	(1) the Lord Chief Justice must– (a) consult the Lord Chancellor, and (b) obtain the agreement of the Lord President of the Court of Session. (2) The president or other judicial member presiding at a sitting of the tribunal in pursuance of sub-paragraph (1) above is referred to below in this paragraph as the presiding member. (3) If at any sitting of the tribunal the members sitting are evenly divided as to any decision, the presiding member shall have a second or casting vote; but otherwise decisions of the tribunal shall be by a majority of the members sitting. (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under sub-paragraph (1). (5) The Lord President of the Court of Session may nominate a judge of the Court of Session who is a member of the First or Second Division of the Inner House of that Court to exercise his functions under sub-paragraph (1A)(b).		
Land Drainage Act 1991, section 31(1A)	**Section 31 (Composition and incidental powers relating to the Agricultural Land Tribunal)** (1) The Lord Chancellor shall draw up for the Agricultural Land Tribunal, and from time to time revise, a panel of persons appearing to him to be experienced in matters relating to the drainage of land. **(1A)** Before drawing up, or revising, a panel under	The provision gives the LC, following consultation with the LCJ or nominee, power to draw up and/or revise a panel of persons with expertise in land drainage in respect of the ALT.	Delegation in force from March 2009.

	subsection (1), the Lord Chancellor must **consult** the Lord Chief Justice. (2) For each hearing by an Agricultural Land Tribunal of an application under section 28 or 30 above one of the members of the Tribunal shall, instead of being a person nominated in accordance with paragraph 16(1)(b) of Schedule 9 to the Agriculture Act 1947, be a person nominated by the chairman from the panel drawn up under this section. (3) Paragraph 16A of Schedule 9 to the Agriculture Act 1947 (which provides for the exercise of the power of making nominations if the chairman is prevented from doing so) shall apply to nominations under this section. (4) For the purpose of deciding any application under section 28 or 30 of this Act the [appropriate tribunal (within the meaning of that section)] 4 may authorise any of its members or any other person to enter and inspect any land. (5) Subsections (3) to (6) of section 29 above shall apply in relation to the power conferred by virtue of subsection (4) above as they apply in relation to the powers conferred by virtue of that section. (6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Judicial Pensions and Retirement Act 1993, section 2(3A) (as	**Section 2 (The judicial officer's entitlement to a pension)** 1) Any person to whom this Part applies— (a) who retires from qualifying judicial office on or	The LC is required to consult the LCJ or nominee in respect of pension entitlement.	Delegation **in force** from 1 October 2009.

amended)	after the day on which he attains the age of 65, and (b) who has, at the time of that retirement, completed, in the aggregate, at least 5 years' service in qualifying judicial office, shall be entitled during his life to a pension at the appropriate annual rate. (2) Any person to whom this Part applies— (a) who retires from qualifying judicial office on or after the day on which he attains the age of 60, but before attaining the age of 65, and (b) who has, at the time of that retirement, completed, in the aggregate, at least 5 years' service in qualifying judicial office, shall be entitled during his life to a pension at the appropriate annual rate, actuarially reduced. (3) In any case where— (a) a person to whom this Part applies retires from qualifying judicial office before he has attained the age of 65 or before he has completed, in the aggregate, at least 5 years' service in such office, and (b) the appropriate Minister is satisfied by means of a medical certificate that, by reason of infirmity of mind or body, the person is incapable of discharging the duties of his qualifying judicial office and that the incapacity is likely to be permanent, the person shall be entitled during his life to a pension at the appropriate annual rate (and subsection (2) above shall not have effect in relation to that retirement, notwithstanding that the conditions in paragraphs (a) and (b) of that subsection may be satisfied in the particular case).	The SPT is the LCJ's nominee for the purposes of consultations in respect of medical retirements regarding the following judicial office holders: (i) President of the Employment Tribunal (England and Wales); (ii) President of the Employment Tribunal (Scotland); (iii) Chairman of the Employment Tribunal; (iv) President or Deputy President of the Pensions Regulator Tribunal; (v) Judge of other member of the First-tier Tribunal, whether appointed or transferred-in; (vi) Judge of other member of the Upper Tribunal (appointed or transferred-in) (vii) Chamber President, Deputy Chamber President of the First-tier Tribunal or Upper Tribunal; (viii) Adjudicator to Her Majesty's Land Registry and persons authorised by them in accordance with paragraph 4, schedule 9 of the Land Registration Act 2002 to carry out functions that are not of an administrative nature; and (ix) Chairman of the Foreign Compensation Commission.	The delegation made specific provision to cover the President or Chairman of the Transport Tribunal. The Transport Tribunal was transferred to the First-tier Tribunal on 1 September 2009: see The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (SI 2009/1885). The President and Chairman consequently became transferred-in judges of the Upper Tribunal. The delegation also applied to the President and Deputy President of the Financial Services and Markets Tribunal (FINSMAT). This was abolished on 5 April 2010 and its functions transferred to the Upper Tribunal, as did the President and Deputy President, who became transferred-in judges of the Upper Tribunal: The Transfer of Functions Order 2010 (SI 2010/22). It also applied to other members of the Asylum and Immigration Tribunal. Its jurisdiction was transferred to the First-tier and Upper Tribunal on 15 February 2010: The Transfer of Functions of the Asylum and Immigration Tribunal Order 2010. Thereafter other members became transferred-in other members of the Upper Tribunal

	(3A) Where the appropriate minister is the Lord Chancellor, he must, before satisfying himself as mentioned in subsection (3)(b)– **(a) consult** the Lord Chief of Justice of England and Wales, if the person in question holds office in England and Wales; (b) consult the Lord Chief of Justice of Northern Ireland, if the person in question holds office in Northern Ireland. (4) Where a person to whom this Part applies is removed from a qualifying judicial office, his removal from that office shall be treated for the purposes of this Part as his retirement from qualifying judicial office; and if— (a) he has not attained the age of 60 at the date of that retirement, and (b) the appropriate Minister recommends that his accrued rights under this Part should be given immediate effect, the person shall be entitled during his life to a pension at the appropriate annual rate, actuarially reduced. (5) Where a person to whom a pension under this section has commenced to be paid resumes service in qualifying judicial office— (a) the resumption of service shall not affect his entitlement to payment of the pension for any period before the resumption, (b) he shall not be entitled to payment of the pension for any period during the resumed service, and (c) at the end of the period of resumed service— (i) his entitlement (and that of any other person) to a pension or other benefit under this Part, and (ii) the rate or amount of any such pension		

	or other benefit, shall be determined (subject to section 4(4) below) as if no pension under this section had previously commenced to be paid to him. (6) A pension under this section shall be payable at such intervals, not exceeding three months, as the Treasury may determine. (7) For the purposes of this Part— (a) in determining the length of a person's period of service in any qualifying judicial office, it is immaterial whether he works full-time or part-time, but if he holds two or more qualifying judicial offices concurrently, no day shall be counted more than once; (b) in determining the length of a person's period of service in any qualifying judicial office, there shall be left out of account— (i) any service in such office before the day on which this Part first applied to him (except to the extent to which it is given effect under or by virtue of section 12 below); (ii) in the case of an office which becomes a qualifying judicial office by virtue of an order under section 1(8) above, any service in that office before the day on which it becomes such an office (except to the extent to which it is given effect under or by virtue of section 12 below); (iii) any service in qualifying judicial office at a time when an election under section 13 below is in force in respect of him; and (iv) any service in such office in respect of		

	which he has taken a cash equivalent in accordance with paragraph 6 of Schedule 2 to this Act; (c) in any case falling within subsection (3) above where, at the date of the retirement, the person has not attained the age of 65, the aggregate length of his period of service shall (subject to subsection (7A)) be increased by the addition of a period equal in length to one half of that which— (i) begins immediately after the date of the retirement; and (ii) ends with the day on which he would attain the age of 65; (d) where any payment in respect of a pension under this section has become due, the pension shall be treated as commencing to be paid, notwithstanding that no payment has in fact been made in respect of it, and for this purpose a payment in respect of a pension shall be treated as becoming due on the first day of the period for which it is payable; (e) "actuarially reduced", in relation to the rate of a pension, means reduced by such amount as may be prescribed in, or determined in accordance with, regulations made under this section by the appropriate Minister with the concurrence of the Treasury; (f) where a person ceases to hold qualifying judicial office in consequence of infirmity of mind or body, the cessation (however brought about) shall be taken for the purposes of this Part to constitute retirement, not removal, from such office. (7A) Subsection (7)(c) does not apply where, at the date of the retirement, the person—		

	(a) is a member of a scheme under section 1 of the Public Service Pensions Act (Northern Ireland) 2014; and (b) is entitled under that scheme to early payment of benefits on the grounds of ill-health. (8) In this Act "judicial pension" means a pension under this section. (9) The Lord Chief Justice of England and Wales may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section. (10) The Lord Chief Justice of Northern Ireland may nominate any of the following to exercise his functions under this section– (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002; (b) a Lord Justice of Appeal (as defined in section 88 of that Act).		
Employment Tribunals Act 1996, section 22(1)(a) (as amended)	**Section 22 (Membership of Employment Appeal Tribunal)** **(1)** The Appeal Tribunal shall consist of— **(a)** such number of judges as may be nominated from time to time by the Lord Chief Justice, after **consulting** the Lord Chancellor, from the judges of the High Court and the Court of Appeal and the judges within subsection (2A) . (b) at least one judge of the Court of Session nominated from time to time by the Lord President of the Court of Session, and	The provision enables the LCJ or nominee, following consultation with the LC, to appoint judges to the EAT.	Delegation **in force** from 1 October 2009.

	(c) such number of other members as may be appointed from time to time by Her Majesty on the joint recommendation of the Lord Chancellor and the Secretary of State ("appointed members"). (2) The appointed members shall be persons who appear to the Lord Chancellor and the Secretary of State to have special knowledge or experience of industrial relations either— (a) as representatives of employers, or (b) as representatives of workers (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992). (2A) A person is a judge within this subsection if the person— (a) is the Senior President of Tribunals, (b) is a deputy judge of the High Court, (c) is the Judge Advocate General, (d) is a Circuit judge, (e) is a Chamber President, or a Deputy Chamber President, of a chamber of the Upper Tribunal or of a chamber of the First-tier Tribunal, (f) is a judge of the Upper Tribunal by virtue of appointment under paragraph 1(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007, (g) is a transferred-in judge of the Upper Tribunal (see section 31(2) of that Act), (h) is a deputy judge of the Upper Tribunal (whether under paragraph 7 of Schedule 3 to, or section 31(2) of, that Act), (i) is a district judge, which here does not include a deputy district judge, or (j) is a District Judge (Magistrates' Courts), which here does not include a Deputy District Judge		

	(Magistrates' Courts), (k) is the President of Employment Tribunals (England and Wales), or (l) is the President of Employment Tribunals (Scotland). (3) The Lord Chief Justice shall appoint one of the judges nominated under subsection (1) to be the President of the Appeal Tribunal. (3A) The Lord Chief Justice must not make an appointment under subsection (3) unless– (a) he has consulted the Lord Chancellor, and (b) the Lord President of the Court of Session agrees. (4) No judge shall be nominated a member of the Appeal Tribunal under subsection (1)(b) except with his consent. (5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section. (6) The Lord President of the Court of Session may nominate a judge of the Court of Session who is a member of the First or Second Division of the Inner House of that Court to exercise his functions under subsection (3A)(b).		
Employment Tribunals Act 1996, section 23(2)(a), (6) and (7)	**Section 23 (Temporary membership of Employment Appeals Tribunal)** (1) At any time when— (a) the office of President of the Appeal Tribunal is	The provision gives: a) the LCJ or nominee, after consulting the LC, power to nominate in specified circumstances a temporary judge of the EAT; and b) the LC with the agreement of the Secretary	Delegation in respect of s23(2)(a) and (6) **in force** from March 2007. The delegation in respect of s23(7) **in force** from 14 December 2015.

(as amended)	vacant, or (b) the person holding that office is temporarily absent or otherwise unable to act as the President of the Appeal Tribunal, the Lord Chief Justice may nominate another judge nominated under section 22(1)(a) to act temporarily in his place. **(2)** At any time when a judge of the Appeal Tribunal nominated under paragraph (a) or (b) of subsection (1) of section 22 is temporarily absent or otherwise unable to act as a member of the Appeal Tribunal— **(a)** in the case of a judge nominated under paragraph (a) of that subsection, the Lord Chief Justice **may nominate** another judge who is qualified to be nominated under that paragraph to act temporarily in his place, and (b) in the case of a judge nominated under paragraph (b) of that subsection, the Lord President of the Court of Session may nominate another judge who is qualified to be nominated under that paragraph to act temporarily in his place. **(3)** At any time when an appointed member of the Appeal Tribunal is temporarily absent or otherwise unable to act as a member of the Appeal Tribunal, the Lord Chancellor and the Secretary of State may jointly appoint a person appearing to them to have the qualifications for appointment as an appointed member to act temporarily in his place. (4) A person nominated or appointed to act temporarily in place of the President or any other member of the Appeal Tribunal, when so acting, has all the functions of the person	of State, after consulting the LCJ or nominee, power to appoint temporary members, in specified circumstances, to the EAT.	

	in whose place he acts. (5) No judge shall be nominated to act temporarily as a member of the Appeal Tribunal except with his consent. **(6)** The functions conferred on the Lord Chief Justice by the preceding provisions of this section may be exercised only after consulting the Lord Chancellor. **(7)** The functions conferred on the Lord Chancellor by subsection (3) may be exercised only after **consultation** with the Lord Chief Justice. (8) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		
Employment Tribunals Act 1996, section 24(1A) and (1B) (as amended)	**Section 24 (Temporary additional judicial membership of the Employment Appeal Tribunal)** **(1)** This section applies if both of the following conditions are met– **(a)** the Lord Chancellor thinks that it is expedient, after **consulting** the Lord Chief Justice, for a qualified person to be appointed to be a temporary additional judge of the Appeal Tribunal in order to facilitate in England and Wales the disposal of business in the Appeal Tribunal; (b) the Lord Chancellor requests the Lord Chief Justice to make such an appointment. **(1A)** The Lord Chief Justice may, after consulting the Lord Chancellor, appoint a qualified person as mentioned in subsection (1)(a).	The provision provides the LC, following consultation with the LCJ or nominee, power to determine that temporary additional judges may be appointed to the EAT in England and Wales. It further provides for the LCJ or nominee, after consultation with the LC, to appoint qualified persons as such judges and to determine the length of such appointment or the times on which the appointee sits,	Delegation **in force** from March 2007.

	(1B) An appointment under this section is– (a) for such period, or (b) on such occasions, as the Lord Chief Justice determines, after **consulting** the Lord Chancellor. (2) In this section "qualified person" means a person who— (a) is qualified for appointment as a judge of the High Court under section 10 of the Senior Courts Act 1981, (3) A person appointed to be a temporary additional judge of the Appeal Tribunal has all the functions of a judge nominated under section 22(1)(a). (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.		

Delegation to the Vice-President of the Court of Appeal (Criminal Division)

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Senior Courts Act 1981, section 56B(1) (as amended)	**Section 56B (Allocation of cases in criminal division)** **(1)** The appeals or classes of appeals suitable for allocation to a court of the criminal division of the Court of Appeal in which a Circuit judge is acting under section 9 shall be determined in accordance with **directions given by or on behalf of the Lord Chief Justice** after consulting the Lord Chancellor. (2) In subsection (1) "appeal" includes the hearing of, or any application in proceedings incidental or preliminary to, an appeal.	The provision enables the LCJ, or the LCJ's nominee, **after consulting** the LC to give directions concerning the suitability of appeals or classes of appeal to the CACD which may be allocated to Circuit Judges.	Delegation **in force from** 14 December 2015. (This delegation was previously made to the President of the Queen's Bench Division from April 2006 to November 2008.)

Delegation to the senior of the Presiding Judges for the Circuits of the Bar of England and Wales[8]

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Senior Courts Act 1981, section 100(1) (as amended)	**Section 100 (Assignment of District Judges (of the High Court)** (1) The Lord Chief Justice, **after consulting** the Lord Chancellor– (a) may assign a district judge to one or more district registries; (b) may change an assignment so as to assign the district judge to a different district registry or registries (or to no district registry). (2) A reference in any enactment or other instrument to the district judge of a district registry is a reference to any district judge assigned to the registry concerned. (3) Every district judge is, by virtue of his office, capable of acting in any district registry whether or not assigned to it, but may do so only in accordance with arrangements made by or on behalf of the Lord Chief Justice. (4) Whilst a district judge is assigned to one or more district registries in accordance with subsection (1) he is a district judge of the High Court.	The provision enables the LCJ, or the LCJ's nominee, **after consulting** the LC to assign a district judge of the High Court to a High Court district registry, to change that assignment.	Delegation in force from August 2007, in the light of the introduction of s100(5) of the 1981 Act following amendments contained in the Tribunals, Courts and Enforcement Act 2007.

[8] These are the South Eastern Circuit; the Midland Circuit; the Northern Circuit; the North Eastern Circuit; the Wales & Chester Circuit; and the Western Circuit.

	(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (1).		
Senior Courts Act 1981, section 102 (as amended)	**Section 102 (Deputy district judges of the High Court)** (1) If it appears to the **Lord Chief Justice** that it is expedient to do so in order to facilitate the disposal of business in the High Court or any other court or tribunal to which a person appointed under this subsection may be deployed, he may appoint a person to be a deputy district judge. (1A) A person is qualified for appointment under subsection (1) only if the person– (a) is qualified for appointment as a district judge, or (b) holds, or has held, the office of district judge. (4A) The Lord Chief Justice, after **consulting** the Lord Chancellor– (a) may assign a deputy district judge appointed under this section to one or more district registries; (b) may change an assignment so as to assign the deputy district judge to a different district registry or registries (or to no district registry). (4B) A deputy district judge appointed under this section and assigned to a district registry has, while acting under his assignment, the same jurisdiction as a district judge assigned to that registry. (4C) Every deputy district judge appointed under this	The section contains three provisions that are capable of delegation: see next column for details.	The section has been subject to amendment in 2007 via the Tribunals, Courts and Enforcement Act 2007; in 2013, via the Crime and Courts Act 2013; and in 2022 via the Public Service Pensions and Judicial Offices Act 2022. **(1) From August 2007 until 1 October 2013**, two powers under section 102(1) and (2) and section 102(4A) and as then in force were delegated to the senior of the Presiding Judges. Those powers were (i) the concurrence role, which required the LC to seek the LCJ or the LCJ's nominee's consent, prior to appointing a person as a deputy district judge of the High Court. (ii) the power to assign a deputy district judge of the High Court to a district registry of the High Court, and to vary that assignment. Upon the amendment of the statutory provision these delegations ceased to be in force.

	section is, by virtue of his office, capable of acting as a district judge in any district registry to which he is not assigned, but may act in a district registry to which he is not assigned only **in accordance with arrangements** made by or on behalf of the Lord Chief Justice. (5) Subsection (6) of section 91 applies in relation to a deputy district judge appointed under this section as it applies in relation to a person appointed under that section. (5ZA) A person appointed under this section may be removed from office as a deputy district judge— (a) only by the Lord Chancellor with the **agreement** of the Lord Chief Justice, and (b) only on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment. (5ZB) Subject to subsection (5ZC), the term of a person's appointment under this section (including a term already extended under this subsection) must be extended by the Lord Chancellor before its expiry. (5ZC) Extension under subsection (5ZB)— (a) requires the person's agreement, (b) is to be for such term as the Lord Chancellor thinks fit, and (c) may be refused on— (i) the ground of inability or misbehaviour, or (ii) a ground specified in the person's terms of appointment,		**(2) From 1 October 2013**, the following power is delegated: to assign deputy district judges of the High Court to district registries of the High Court under s102(4A).

	but only with any **agreement** of the Lord Chief Justice, or **a nominee of the Lord Chief Justice**, that may be required by those terms. (5ZD) Subject to the preceding provisions of this section (but subject in the first place to the Judicial Pensions and Retirement Act 1993), a person appointed under this section is to hold and vacate office as a deputy district judge in accordance with the terms of the person's appointment, which are to be such as the Lord Chancellor may determine. (5ZE) The Lord Chief Justice may nominate a senior judge (as defined in section 109(5) of the Constitutional Reform Act 2005) to exercise the Lord Chief Justice's functions under subsection (1) or (5ZA)(a). (5A) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsection (4A).		

Delegation to the senior Presiding Judge for Wales[9]

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Welsh Language Act 1993, section 23	**Section 23 (Oaths and affirmations)** (1) The Lord Chancellor may, **after consulting the Lord Chief Justice of England and Wales**, make rules prescribing a translation in the Welsh language of any form for the time being prescribed by law as the form of any oath or affirmation to be administered and taken or made by any person in any court, and an oath or affirmation administered and taken or made in any court in Wales in the translation prescribed by such rules shall, without interpretation, be of the like effect as if it had been administered and taken or made in the English language. (2) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.	The provision requires the LC to **consult** the LCJ, of the LCJ's nominee, before making rules concerning Welsh language translations of any oath or affirmation taken in court or administered, taken or made in any court in Wales.	Delegation **in force** from April 2006.

[9] Previously the Wales and Chester Circuit

Delegation to the judge in charge of the Technology and Construction Court (TCC)

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Senior Courts Act 1981, section 68(1)(a) and (6) (as amended)	**Section 68 (Exercise of High Court jurisdiction otherwise than by judges of that court.)** (1) Provision may be made by rules of court as to the cases in which jurisdiction of the High Court may be exercised by— **(a)** such Circuit judges, deputy Circuit judges or Recorders as the Lord Chief Justice **may**, after consulting the Lord Chancellor, from time to time nominate to deal with official referees' business; or (b) special referees; (2) Without prejudice to the generality of subsection (1), rules of court may in particular— . . . (b) authorise any question arising in any cause or matter to be referred to a special referee for inquiry and report. (3) Rules of court shall not authorise the exercise of powers of attachment and committal by a special referee or any officer or other staff of the court. (4) Subject to subsection (5), the decision of (a) any such person as is mentioned in subsection (1)	The provision under section **68(1)(a)** requires the LCJ or nominee, to **consult** the LC before nominating Circuit judges or Recorders to deal with official referees' business. **NB:** since 1998 official referees' business has been business conducted in the TCC and official referees have been, and are, judges of the TCC and official referees' business is carried out in the TCC: see *White Book 2015* Vol. 2, notes to CPR Pt 60. The power under section **68(6)** requires the LCJ or nominee, to **consult** the LC before giving directions concerning the distribution of official referees' business. The direction power is subject to any rules of court set out within the Civil Procedure Rules 1998.	Delegation i**n force** from April 2006.

	or (b) any officer or other staff of the court may be called in question in such manner as may be prescribed by rules of court, whether by appeal to the Court of Appeal, or by an appeal or application to a divisional court or a judge in court or a judge in chambers, or by an adjournment to a judge in court or a judge in chambers. (5) Rules of court may provide either generally or to a limited extent for decisions of persons nominated under subsection (1)(a) being called in question only by appeal on a question of law. **(6)** The cases in which jurisdiction of the High Court may be exercised by persons nominated under subsection (1)(a) shall be known as "official referees' business"; and, subject to rules of court, the distribution of official referees' business among persons so nominated shall be determined in accordance with directions given by the Lord Chief Justice **after consulting** the Lord Chancellor. (7) Any reference to an official referee in any enactment, whenever passed, or in rules of court or any other instrument or document, whenever made, shall, unless the context otherwise requires, be construed as, or (where the context requires) as including a reference to a person nominated under subsection (1)(a). (8) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under subsections (1)(a) and (6).		

Delegation to Deputy Head of Civil Justice

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Terrorism Act 2000, schedule 3, paragraph 4 (as amended)	**Schedule 3, paragraph 4 (Proscribed Organisations Appeal Commission)** (1) The Commission shall sit at such times and in such places as the Lord Chancellor may direct **after consulting the following** **(a) the Lord Chief Justice of England and Wales;** (b) . . . (c) . . . (2) . . . (3) . . . (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this paragraph. (5) . . . (6) . . .	The provision requires the LC to **consult** the LCJ, of the LCJ's nominee, before directing when and where the Proscribed Organisations Appeal Commission may sit.	Delegation **in force from** April 2006 to 1 October 2014. Lord Justice Maurice Kay was LCJ's nominee. Delegation in force from 15 December 2015 to the deputy Head of Civil Justice. The deputy Head of Civil Justice was and is: (i) Lord Justice Richards, from 15 December 2015 to 31 December 2015; (ii) Lord Justice Briggs from 1 January 2016 to 1 October 2017; (iii) Lord Justice Coulson from March 2018; (iv) Lord Justice Birss from 11 January 2021; (v) Lady Justice Cockerill from 1 November 2025.
Anti-terrorism, Crime and Security Act 2001, schedule 6,	**Schedule 6, paragraph 4 (The Pathogens Access Appeal Commission)** (1) The Commission shall sit at such times and in such	The provision requires the LC to **consult** the LCJ, of the LCJ's nominee, before directing when and where the Pathogens Access Appeal Commission may sit.	Delegation **in force from** April 2006 to 1 October 2014. Lord Justice Maurice Kay was LCJ's nominee.

paragraph 4 (as amended)	places as the Lord Chancellor may direct after **consulting the following–** **(a) the Lord Chief Justice of England and Wales**; (b) . . . (c) . . . (2) . . . (3) . . . (4) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under sub-paragraph (1). (5) . . . (6) . . .		Delegation in force from 15 December 2015 to the deputy Head of Civil Justice.

Delegation concerning magistrates' disciplinary matters

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Constitutional Reform Act 2005, section 119	**Section 119 (Delegation of functions)** (1) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4)) to exercise any of his functions under the relevant sections. (2) The relevant sections are— (a) section 108(3) to (7); (…)	The provision enables the LCJ to nominate a judge to exercise her disciplinary powers.	Delegation to Mr Justice Keehan from 11 March 2024. NB - The disciplinary sanctions that Mr Justice Keehan may issue are formal advice, a formal warning or a reprimand.

Delegation to the President of Welsh Tribunals

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Mental Health Review Tribunal for Wales Rules 2008/2705, rule 11(2)	**Rule 11 - Appointment of the tribunal** 11.—(1) A person shall not be qualified to serve as a member of a Tribunal for the purpose of any proceedings where— (a) that person is a member, director or registered person (as the case may be) of the responsible authority concerned in the proceedings; or (b)that person is a member or director of a local health board or National Health Service trust which has the right to discharge the patient under section 23(3) of the Act; or (c) the chairman or, as the case may be, president of the Tribunal considers that that person appears to have a conflict of interest or bias of opinion in respect of the patient, or any other member of that Tribunal or party to the proceedings, or has recently been involved with the medical treatment of the patient in a professional capacity. **(2)** The persons qualified to serve as president of the Tribunal for the consideration of an application or reference relating to a restricted patient shall be restricted to those legal members who have been approved for that purpose by the Lord Chief Justice after consulting the Lord Chancellor.	The provision enables the LCJ or nominee approve the appointment of legal members of the Tribunal who can consider applications or references relating to restricted patients.	Delegation **in force** from 27 February 2018.

	(3) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005(1)) to exercise his functions referred to in paragraph (2).		

Delegation to the Resident Judges

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who— (a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience. (2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice. (3) Such a person is referred to in this Part as an "authorised person". (4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section—	The provision provides that the LCJ or nominee may authorise a HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to authorise such judicial functions as are provided for in rules of court. The Resident Judges are the LCJ's delegates in respect of authorisations under the Criminal Procedure Rules r.2.7.	Delegation **in force from** 6 April 2020.

	(a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.		

Delegation to the Designated Civil Judges for Northampton and Leicester Trial Centre and for Greater Manchester

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who— (a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience. (2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice. (3) Such a person is referred to in this Part as an "authorised person". (4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section—	The provision provides that the LCJ or nominee may authorise a HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to authorise such judicial functions as are provided for in rules of court. The Designated Civil Judges for Northampton and Leicester Trial Centre and for Greater Manchester are the LCJ's delegates in respect of authorisations under Part 2 of the Civil Procedure Rules.	Delegation **in force from** 7 April 2020.

	(a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.		

Delegation to the Designated Civil Judge: Online

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who— (a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience. (2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice. (3) Such a person is referred to in this Part as an "authorised person". (4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions	The provision provides that the LCJ or nominee may authorise a HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to authorise such judicial functions as are provided for in rules of court. The Designated Civil Judge: Online is the LCJ's delegate in respect of authorisations under the Civil Procedure Rules Parts 2, 51 and 73.	Delegation **in force from** 15 December 2024.

	under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.		

Delegation to the Registrar of Criminal Appeals

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who— (a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience. (2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice. (3) Such a person is referred to in this Part as an "authorised person". (4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section—	The provision provides that the LCJ or nominee may authorise a HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to authorise such judicial functions as are provided for in rules of court. The Registrar of Criminal Appeals is the LCJ's delegates in respect of authorisations under the Criminal Procedure Rules r.2.5.	Delegation **in force from** 6 April 2020.

	(a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.		

Delegation to the HMCTS Heads of Legal Operations

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Matrimonial and Family Proceedings Act 1984, section 31O(6)	**Section 31O (Function of giving legal advice to judges)** **(1)** The Lord Chief Justice may authorise a person— (a) to give advice to judges of the family court about matters of law (including procedure and practice) on questions arising in connection with the discharge by them of functions conferred on them or the court, including questions arising when the person is not personally attending on them, and (b) to bring to the attention of judges of the family court, at any time when the person thinks appropriate, any point of law (including procedure and practice) that is or may be involved in any question so arising. (2) The Lord Chief Justice may authorise a person under subsection (1) only if the person— (a) is appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) has such qualifications as may be prescribed by regulations made by the Lord Chancellor with the agreement of the Lord Chief Justice. (3) An authorisation under subsection (1)—	There are two delegations under this provision. (1) Subsection 31O(6) provides that the LCJ may nominate a judicial office holder or HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to exercise the function under subsection 31O(1) of authorising court officers to provide legal advice to judges of the family court. The Heads of Legal Operations are the LCJ's delegates for this purpose. (2) Subsection 31O(6) also provides that the LCJ may nominate a judicial office holder or HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to exercise the function under subsection 31O(4) of giving directions to those court officers authorised under subsection 31O9(1). This power is delegated to the Heads of	Delegation **in force from** 6 April 2020.

	(a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(4)** The Lord Chief Justice may give directions to a person authorised to exercise functions under subsection (1). (5) Apart from such directions, a person authorised to exercise functions under subsection (1) is not subject to the direction of the Lord Chancellor or any other person when exercising the functions. **(6)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (7) A person nominated under subsection (6)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a) the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (8) In this section "judicial office holder" has the meaning given by section 109(4) of the Constitutional Reform Act 2005.	Legal Operations and to the HMCTS Head of Legal and Professional Services.	

Courts Act 2003, section 28(5)	**Section 28 (Function of giving legal advice to justices of the peace)** **(1)** The Lord Chief Justice may authorise a person— (a) to give advice to justices of the peace about matters of law (including procedure and practice) on questions arising in connection with the discharge of their functions, including questions arising when the person is not personally attending on them, and (b) to bring to the attention of justices of the peace, at any time when the person thinks appropriate, any point of law (including procedure and practice) that is or may be involved in any question so arising. (2) For the purposes of subsection (1), the functions of justices of the peace do not include functions as a judge of the family court or the Crown Court. (3) The Lord Chief Justice may authorise a person under subsection (1) only if the person— (a) is appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) has such qualifications as may be prescribed by regulations made by the Lord Chancellor with the agreement of the Lord Chief Justice. (4) An authorisation under subsection (1)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time.	(1) The provision provides the LCJ or nominee to authorise a judicial officer holder or HMCTS staff member person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to exercise the function of authorising court officers to provide legal advice to justices of the peace under **s.28(1)** of the Courts Act 2003. The Heads of Legal Operations are the LCJ's delegate for this purpose	Delegation **in force from** 6 April 2020.

	(5) The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a) the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) In this section "judicial office holder" has the meaning given by section 109(4) of the Constitutional Reform Act 2005.		
Courts Act 2003, section 29(3)	**Section 29 (Directions and independence)** (1) The Lord Chief Justice may give directions to a person authorised to exercise functions under section 28(1). (2) Apart from such directions, a person authorised to exercise functions under section 28(1) is not subject to the direction of the Lord Chancellor or any other person when exercising the functions. **(3)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions	The provision provides the LCJ or nominee to authorise a judicial officer holder or HMCTS staff member person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to exercise the function of authorising court officers he power to give directions to court officers who are authorised to exercise functions under s.28(1) of the Courts Act 2003.	Delegation **in force from** 6 April 2020.

	under subsection (1)— (a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (4) A person nominated under subsection (3)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a) the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (5) In this section "judicial office holder" has the meaning given by section 109(4) of the Constitutional Reform Act 2005.	The Heads of Legal Operations are the LCJ's delegate for this purpose.	
Courts Act 2003, section 67B(5)	**Section 67B (Authorisation to exercise relevant judicial functions)** (1) Rules of court may provide for the exercise of relevant judicial functions by persons who— (a) are appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) satisfy any requirements specified in the rules as to qualifications or experience. (2) A person may exercise functions by virtue of subsection (1) only if authorised to do so by the Lord Chief Justice.	The provision provides the LCJ or nominee to authorise a judicial officer holder or HMCTS staff member person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to authorise HMCTS staff members to exercise such judicial functions as provided for in rules of court. The HMCTS Heads of Legal Operations are the LCJ's delegates in respect of authorisations under the:	Delegation **in force from** 6 April 2020.

	(3) Such a person is referred to in this Part as an "authorised person". (4) An authorisation under subsection (2)— (a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(5)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (6) A person nominated under subsection (5)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a)the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (7) Nothing in this Part is to be taken to affect the generality of any enactment conferring powers to make rules of court.	• Criminal Procedure Rules r.2.8 and r.2.9; • the Magistrates' Courts (Functions of Authorised Persons – Civil Proceedings) Rules 2020; • the Family Procedure Rules Rule 2.5; and • any Practice Directions made under the above sets of Rules.	

Delegation to the HMCTS Head of Legal and Professional Services

Statutory provision delegated	Wording of the provision	Effect of the provision	Further Comments
Matrimonial and Family Proceedings Act 1984, section 31O(6)	**Section 31O (Function of giving legal advice to judges)** (1) The Lord Chief Justice may authorise a person— (a) to give advice to judges of the family court about matters of law (including procedure and practice) on questions arising in connection with the discharge by them of functions conferred on them or the court, including questions arising when the person is not personally attending on them, and (b) to bring to the attention of judges of the family court, at any time when the person thinks appropriate, any point of law (including procedure and practice) that is or may be involved in any question so arising. (2) The Lord Chief Justice may authorise a person under subsection (1) only if the person— (a) is appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007, and (b) has such qualifications as may be prescribed by regulations made by the Lord Chancellor with the agreement of the Lord Chief Justice. (3) An authorisation under subsection (1)—	The provision provides the LCJ or nominee to authorise a judicial office holder or HMCTS staff member appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to exercise the function of authorising court officers to give directions to court officers who are authorised to provide legal advice to judges of the family court under **s.31O(4)** Matrimonial and Family Proceedings Act 1984. The Head of Legal and Professional Services is the LCJ's delegate for this purpose.	Delegation **in force from** 6 April 2020.

	(a) may be subject to conditions, and (b) may be varied or revoked by the Lord Chief Justice at any time. **(4)** The Lord Chief Justice may give directions to a person authorised to exercise functions under subsection (1). (5) Apart from such directions, a person authorised to exercise functions under subsection (1) is not subject to the direction of the Lord Chancellor or any other person when exercising the functions. **(6)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under the preceding provisions of this section— (a) a judicial office holder; (b) a person appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (7) A person nominated under subsection (6)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a) the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (8) In this section "judicial office holder" has the meaning given by section 109(4) of the Constitutional Reform Act 2005.		

Courts Act 2003, section 29(3)	**Section 29 (Directions and independence)** (1) The Lord Chief Justice may give directions to a person authorised to exercise functions under section 28(1). (2) Apart from such directions, a person authorised to exercise functions under section 28(1) is not subject to the direction of the Lord Chancellor or any other person when exercising the functions. **(3)** The Lord Chief Justice may nominate one or more of the following to exercise the Lord Chief Justice's functions under subsection (1)— (a) a judicial office holder; (b) a person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007. (4) A person nominated under subsection (3)(b) to exercise functions of the Lord Chief Justice is not subject to the direction of any person other than— (a) the Lord Chief Justice, or (b) a judicial office holder nominated by the Lord Chief Justice, when exercising the functions. (5) In this section "judicial office holder" has the meaning given by section 109(4) of the Constitutional Reform Act 2005.	The provision provides the LCJ or nominee to authorise a judicial officer holder or HMCTS staff member person appointed under section 2(1) of this Act or section 40(1) of the Tribunals, Courts and Enforcement Act 2007 to exercise the function of authorising court officers he power to give directions to court officers who are authorised to exercise functions under s.28(1) of the Courts Act 2003. The Head of Legal and Professional Services is the LCJ's delegate for this purpose.	Delegation **in force from** 6 April 2020.