



**An Bille fá Choimisún um Cheapacháin
Bhreithiúnacha, 2017**
Judicial Appointments Commission Bill 2017

Meabhrán Míitheach agus Airgeadais
Explanatory and Financial Memorandum



**AN BILLE FÁ CHOIMISÚN UM CHEAPACHÁIN
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EXPLANATORY AND FINANCIAL MEMORANDUM**

Purpose of the Bill

The Bill delivers on the Programme for Partnership Government 2016 commitment in relation to judicial appointments.

The Bill contains 9 Parts. The following paragraphs contain a brief description and outline of the proposals.

PART 1

PRELIMINARY AND GENERAL

Short title and commencement

Section 1 sets out the short title of the Act and commencement arrangements.

Definitions

Section 2 provides for the definition of certain terms used in the Bill.

“Lay person” is defined in a way to include a former practising barrister or solicitor who has not practised for at least 15 years immediately prior to application for participation in the selection process for appointment as a member of the Commission. A lay person cannot be, or have been, a judge.

References to recommending names and references to relevant committees: provision for their construction

Section 3 sets out how certain references are to be construed.

Subsection (2) relates the term relevant committee to the 5 committees of the Commission whose functions are specified in section 11(2).

Expenses

Section 4 is a standard provision regarding expenses.

Review of operation of Act

Section 5 provides that the Minister will review the operation of the Act within 5 years after the establishment day, and, within one year later, will make a report of the findings and conclusions resulting from that review to each House of the Oireachtas. In carrying out the review, the Minister will have regard to the prior report of the Commission received pursuant to section 58(5).

Repeals

Section 6 repeals Part IV of the Courts and Court Officers Act 1995 concerning judicial appointments, save for section 17A (vacation of certain offices before appointment to judicial office) and section 19A (training and education of specialist judges of Circuit Court). This continues in operation the section 17A provision that a judge appointed to the Court of Justice of the European Union, the European Court of Human Rights, and the international courts must vacate the office concerned before appointment by the President to a judicial office. Section 19A, which was inserted by the Personal Insolvency Act 2012, provides that a specialist judge of the Circuit Court must take such training as may be required by the Chief Justice or President of the Circuit Court.

PART 2

BASIS ON WHICH RECOMMENDATIONS ARE TO BE MADE

Recommendations to be based on merit

Section 7 establishes merit as the basis on which a decision to recommend a person for appointment to judicial office will be made under the legislation (*subsection (1)*). But subject to the fundamental requirement for merit to be the basis for any decision, under *subsection (2)*, regard must also be had to the objectives that membership of the judiciary should comprise equal numbers of men and women, and reflect the diversity within the population as a whole.

PART 3

JUDICIAL APPOINTMENTS COMMISSION AND PRINCIPAL COMMITTEES OF IT: GENERAL PROVISIONS

Establishment day

Section 8 provides that the Minister will by order appoint a day to be the establishment day.

Establishment of Judicial Appointments Commission and certain committees

Section 9 provides for the establishment of the Judicial Appointments Commission and its 5 “relevant committees” detailed in section 11.

Selection and recommendation function to be performed through relevant committees

Section 10 enables the Commission’s function of selecting and recommending to the Minister persons for appointment to judicial office to be performed through the “relevant committee” as set out in section 11(2).

Relevant committees of Commission

Section 11 sets out the 5 relevant committees established under section 9 through whom the Commission’s function of selecting and recommending to the Minister persons for appointment to judicial office will be performed. The *Table* illustrates the respective role of each of the relevant committees in selecting and recommending to the Minister persons for appointment to the judicial offices of (1) ordinary judge of the Supreme Court, (2) ordinary judge of the Court of Appeal, (3) ordinary judge of the High Court, (4) President of the Circuit Court or ordinary or specialist judge of that Court, and (5) President of the District Court or judge of that Court.

PART 4

PARTICULAR PROVISIONS IN RELATION TO COMMISSION AND RELEVANT COMMITTEES

Membership of Commission and general functions

Section 12, subsection (1) sets out the composition of the Commission which will consist of the Chief Justice, the President of the Court of Appeal, the President of the High Court, the Attorney General, a practising barrister and a practising solicitor nominated under section 16, and a chairperson and 6 lay members appointed under section 15.

Subsection (2) provides for the functions of the Commission, which will be two-fold: Under *subsection (2) (a)* the Commission will select and recommend persons to the Minister for appointment to judicial office. Under *subsection (2) (b)* the Commission will approve a statement of selection procedures and a statement of requisite skills and attributes for inclusion in a published statement. Both general functions are elaborated in Parts 6 and 7, and Part 8 respectively.

Subsections (3) and (4) ensure that the Commission will be independent and have the necessary powers to perform its functions.

The *Schedule* details related matters.

Membership of relevant committees and other provisions in relation to them

Section 13 subsection (1) sets out the composition of each relevant committee, which mirrors that of the Commission set out in paragraphs (a) and (d) to (g) of section 12(1) (i.e. the Chief Justice, the Attorney General, the Bar Council and Law Society nominees and the lay Chair) and also comprises 5 of the lay persons referred to in paragraph (h) of section 12(1). It substitutes an additional member (in lieu of paragraphs (b) and (c) of section 12(1)) relative to the particular committee concerned. *Subsection (2)* specifies who the additional member will be; it ensures that the selection and recommendation for appointment to judicial office in a particular court will be conducted by a committee whose membership includes a judge serving at the level of the court system to which the committee's business relates, be they the President of the court concerned or an ordinary judge of that court nominated by that President. In the case of the Supreme Court Appointments Committee however the additional member will be either the President of the Court of Appeal, or, with the concurrence of that President, an ordinary judge of the Supreme Court nominated by the Chief Justice.

Subsections (3) to (5) deal with the specified periods for nominations to a relevant committee. *Subsection (6)* provides for the same chairperson of both the Commission and each relevant committee. *Subsections (7) and (8)* ensure that each relevant committee will be independent and have the necessary powers to perform its functions. *Subsection (9)* enables each relevant committee to establish subcommittees. The provisions of *section 19(5)* regarding a majority of lay members one of whom will be chairperson apply to the composition of any such subcommittees.

Further provisions concerning Commission: terms and conditions of membership, etc

Section 14 contains provisions relating to the terms and conditions and remuneration of the members of the Commission, who will act on a part-time basis. *Subsection (2)* provides that remuneration shall not apply to the Chief Justice, the President of the Court of Appeal, the President of the High Court or the Attorney General as regards their membership of the Commission. *Subsections (3) and (4)* provide for the practising barrister, practising solicitor, chairperson and lay members to hold office for a term of 3 years, renewable once. *Subsections (5) and (6)* provide for cessation

of membership of a practising barrister and practising solicitor and lay persons. *Subsection (7)* creates the possibility to enter into contracts, or, with the consent of the Minister, the possible appointment of consultants or advisers to assist the Commission in the performance of its functions or the functions of any of its committees. *Subsection (8)* details the nature and form such assistance may take; it is limited to advising and assisting at the preliminary stage of the selection procedures, and to providing an evaluation or assessment of an applicant's suitability for appointment that would assist the relevant committee in the making of a decision. Under *subsection (9)* any fees or expenses payable in respect of such assistance require the consent of the Minister and the Minister for Public Expenditure and Reform.

Recommendation of lay person for appointment as member and chairperson

Section 15 provides that the Public Appointments Service will organise selection processes to select a chairperson and lay members for appointment by the Minister to the Commission. The Service will only recommend a lay person for appointment where the Service is satisfied that the person is a fit and proper person to be so appointed and is suitable in accordance with the relevant requirements of this section. Requirements may include knowledge of and experience in, amongst other things, matters connected with the provision of supports to victims of crime, or matters connected with human rights, equality or issues concerning societal diversity.

Appointment of practising barrister and practising solicitor as members

Section 16 provides for the manner of nomination and appointment of the practising barrister and practising solicitor members of the Commission specified in paragraphs (e) and (f) of section 12 (1).

Appointment of lay persons as members

Section 17 provides for the appointment by the Minister of lay persons as chairperson and as members of the Commission when recommended by the Public Appointments Service under section 15. A resolution approving the appointment must first have been passed by each House of the Oireachtas.

Procedures of Commission and relevant committees

Section 18 provides for meetings and chairing of the Commission and each relevant committee and related matters. The quorum for a meeting, unless the Minister otherwise directs, is 7 members, 4 of whom will be lay members.

Procedures Committee and other committees of Commission

Section 19 provides that the Commission will establish a "Procedures Committee", comprising 7 members of the Commission, to perform the functions assigned to it under *Part 8* (Statement of selection procedures and requisite skills and attributes, reviews and recommendations) and such other functions as the Commission considers appropriate. *Subsection (4)* enables the Commission to establish committees of the Commission to assist the Commission or the Procedures Committee. Members of such committees may be paid such allowances for expenses incurred by them as the Commission may, with consent of the Minister and the Minister for Public Expenditure and Reform, determine (*subsection (7)*). Expenses do not apply to the Chief Justice, President of the Court of Appeal, President of the High Court or the Attorney General (*subsection (8)*).

Member of Commission or relevant committee ceasing to hold judicial office

Section 20 provides that when the Chief Justice or President of the Court of Appeal or High Court ceases to be such for any reason, the most senior ordinary judge of the Supreme Court, Court of Appeal or High Court respectively shall be a member of the Commission until a

successor to the Chief Justice or that President is appointed (*Subsections (1) to (4)*). *Subsections (5) and (7)* make corresponding provision insofar as membership on relevant committees by the President of the Circuit Court and President of the District Court is concerned. In the case of any other judicial member of a relevant committee ceasing to be a holder of judicial office, *subsection (8)* provides for a fresh nomination to be made under the appropriate paragraph of section 13(2).

Member of Commission ceasing to hold office

Section 21 provides for the resignation of the practising barrister or practising solicitor member, the chairperson or a lay member of the Commission by notice in writing to the Minister (*subsection (1)*). A casual vacancy of such member will be filled in the same manner as provided for under sections 15, 16 and 17, including in the case of appointment of lay persons, that a resolution approving the appointment must first have been passed by each House of the Oireachtas (*subsection (2)*). *Section 17(3)* also relates.

Certain grounds for disqualification or being ineligible to hold office

Section 22 sets out grounds on which the practising barrister, practising solicitor, chairperson or lay members of the Commission must cease to hold office including grounds relating to the conviction on indictment of an offence (*subsection (1)*). *Subsection (2)* deals with such persons' ineligibility for appointment as a member of the Commission in such cases.

Removal of member of Commission

Section 23 provides that the Government may remove from office a practising barrister, practising solicitor, chairperson or lay member of the Commission on grounds specified in *subsection (2)*, and where a resolution calling for the removal of such member is passed by each House of the Oireachtas.

Accountability of Director to Public Accounts Committee

Section 24 provides for the giving of evidence by the Director to the Public Accounts Committee in relation to the Commission's accounts and any matter raised in a report of the Comptroller and Auditor General, as well as the economy and efficiency of the Commission in the use of its resources.

Accountability of chairperson to other Oireachtas Committees

Section 25 provides for the attendance of the chairperson before other committees of the Houses of the Oireachtas to give account for the general administration of the Commission, when requested in writing to do so. *Subsections (3) to (7)* provide protection for the chairperson having to give account before such committee for any matter subject to legal proceedings or where it would involve disclosure of matters which are not permitted to be disclosed under section 30 (see below).

Accounts

Section 26 provides for financial, accounting and auditing matters including presentation of audited accounts to the Minister. The accounts will be laid before both Houses of the Oireachtas by the Minister.

Annual report

Section 27 requires the Commission to submit an annual report to the Minister which will be laid before both Houses of the Oireachtas. The annual report must be in such form and manner as the Minister, having consulted with the Commission, may direct the Commission to provide.

Request from Minister to Commission for report

Section 28 requires the Commission to make other reports on any matters relating to its functions to the Minister, on the request of the Minister.

Confidential information

Section 29 is a standard provision in relation to the disclosure of confidential information obtained by members of the Commission or any Committee of the Commission, the Director, staff, etc. in the course of performing their functions.

Confidentiality of certain proceedings, communications and matters

Section 30 protects the confidentiality of proceedings of the Commission and its communications, as well as any matter concerning the removal of a member of the Commission under section 23.

Records of Commission

Section 31 requires the Commission to keep records relating to applications for appointment to judicial office and related deliberations and recommendations, and expressions of interest in respect of senior judicial offices and particulars referred to in section 46.

PART 5

JUDICIAL APPOINTMENTS COMMISSION OFFICE

Judicial Appointments Commission Office

Section 32 attaches to the Commission an administrative support office (*subsection (1)*). The Office will be funded by the Exchequer (*subsection (2)*) and headed by a Director (*subsection (3)*). It will be staffed by civil servants appointed by the Commission with the consent of the Minister and approval of the Minister for Public Expenditure and Reform (*subsections (4) to (6)*).

Director of Judicial Appointments Office

Section 33 makes provision for the appointment of the Director by the Commission following a selection process held by the Public Appointments Service. The term of office of the Director will be 5 years, renewable once.

Functions of Director

Section 34 sets out the administrative functions of the Director who will be responsible to the Commission.

PART 6

**APPOINTMENTS TO JUDICIAL OFFICE; ELIGIBILITY
AND REQUIREMENTS FOR THE MAKING OF
RECOMMENDATIONS**

CHAPTER 1

Amendment of Act of 1961: qualifications for office

Amendment of Act of 1961

Section 35 amends the Courts (Supplemental Provisions) Act 1961 in relation to the qualifications for appointment to judicial office. *Subsection (1)* introduces a new measure whereby a judge of the District Court will qualify for appointment as a judge of the High Court. *Subsection (4)* enables a legal academic of not less than 12 years standing to qualify for appointment to judicial office, provided that, amongst other things, the person is at the time of appointment a barrister or solicitor who has practised for a continuous period of 4 years. The section sets out further provisions to define what is comprehended by the term “legal academic” and “educational establishment”. Provision in respect of the head of a faculty is also set out.

CHAPTER 2

Making of recommendations: conditions to be satisfied

Extent of Chapter's application and definition

Section 36 limits the application of this Chapter to the requirements for appointment to judicial office other than as Chief Justice, President of the Court of Appeal and President of the High Court (which are dealt with separately in Chapter 3 of Part 7 at section 46).

“Legal academic” has the meaning assigned to it by section 35(4).

Recommendation of names to Minister: principal conditions to be satisfied

Section 37 provides that in addition to the provision that recommendations be based on merit pursuant to section 7, a relevant committee shall not recommend the name of a person to the Minister unless the relevant practice requirements set out in the Courts (Supplemental Provisions) Act 1961 are complied with. A relevant committee must also ensure that the requirements in the published statement(s) are complied with.

Recommendation of names to Minister: further condition to be satisfied

Section 38 sets out additional conditions to be satisfied in the case of persons whose names are recommended to the Minister. These comprise in the main a restatement of existing provisions, and suitability on the grounds of health is new.

PART 7

FURTHER PROVISIONS GOVERNING RECOMMENDATIONS, PROVISIONS IN RELATION TO CERTAIN SENIOR JUDICIAL OFFICES, ETC

CHAPTER 1

Preliminary

Extent of application of Chapters 1 and 2

Section 39 is a general provision to the effect that Chapters 1 and 2 of this Part do not apply to appointment to the senior judicial office of Chief Justice, President of the Court of Appeal or President of the High Court, which is provided for by *section 46* of Chapter 3.

Making of recommendations: certain functions

Section 40 provides that the Commission may make available information on the selection procedures through such means as it considers appropriate. The Commission must advertise for applications for selection for appointment to judicial office.

Applications for appointment to judicial office

Section 41 provides for the making of applications to the Commission by a person including a serving judge or a “relevant office holder” in writing or such other format specified in the selection procedures (*subsection (1)*). Applications must be on foot of invitation advertised by the Commission (*subsection (2)*). The details to be provided by the applicant must be such as the relevant committee may request so as to enable it to consider the applicant’s suitability for judicial office, and may include information relating to education, professional qualifications, experience and character. For the avoidance of doubt, the requirement to provide such information is without prejudice to the requirements of the specific selection procedure concerned (*subsection (4)*). The term “relevant office holder” includes a judge appointed to the Court of Justice of the European Union, the European Court of Human Rights, and the international courts.

CHAPTER 2

Specific requirements in relation to number of names recommended and related matters

Judicial vacancy: recommendation by relevant committee of persons for appointment

Section 42 requires the relevant committee to recommend three names to the Minister in respect of a judicial office standing vacant, and where the Minister so requests, to recommend three names in respect of each anticipated vacancy.

More than one judicial vacancy: recommendation by relevant committee of persons for appointment

Section 43 provides that where there is more than one vacancy, or anticipated vacancy, in the same court, the relevant committee must recommend to the Minister an additional two names per vacancy over and above the required minimum of three. Thus, the relevant committee will recommend five names where there are two vacancies in the same court, seven names where there are three vacancies in the same court, and so on.

Where specified number of persons' names not recommended

Section 44 enables the relevant committee to recommend no names or a lesser number of names, as the case may be, where it cannot recommend the requisite number of names specified in sections 42 and 43. In such cases the relevant committee will provide to the Minister a statement of the name of every eligible applicant who has satisfied the principal conditions set out in section 37.

Particulars to be provided by relevant committee

Section 45 requires the relevant committee, in respect of each name that it recommends for appointment to judicial office, and also in respect of each name of an eligible applicant that it cannot recommend, to provide the Minister with particulars of the person's education, professional qualifications, experience and character, and where applicable, the results of interviews or tests conducted by the relevant committee.

CHAPTER 3

Procedures in respect of certain senior judicial offices

Appointment as Chief Justice, President of the Court of Appeal and President of the High Court

Section 46 introduces new arrangements for appointment to the senior judicial offices of Chief Justice, President of the Court of Appeal and President of the High Court (which appointments are also outside of the remit of the present Judicial Appointments Advisory Board (JAAB) established in 1995). At the request of the Minister, the Commission will seek expressions of interest on the part of eligible persons. The Minister will, on receipt of the names and related particulars of those eligible persons, convene a meeting of the "Senior Judicial Appointments Advisory Committee". The Advisory Committee will normally comprise the Chief Justice, the chairperson of the Commission and the Attorney General unless such membership would conflict with appointment to the particular vacancy concerned, in which case the section provides for appropriate alternate judicial office holders to be members (*subsections (1) to (3)*). The Advisory Committee will recommend to the Government the names of 3 persons for appointment to the judicial office concerned. If the Advisory Committee, having considered the suitability of all names forwarded to it by the Commission, is unable to recommend 3 names, it shall recommend a lesser number, or no names, as the case may be, and shall inform the

Government of that fact (*subsection (4)*). The Advisory Committee must furnish to the Government a statement of the name of each eligible person who expressed an interest in the appointment (other than a person the subject of their recommendation) (*subsection (6)*). On informing the Government that it is unable to recommend any name, the Advisory Committee must furnish to Government a statement of the name of every eligible person who made an expression of interest (*subsection (7)*). Decisions of the Advisory Committee must be unanimous (*subsection (8)*).

CHAPTER 4

Supplemental provisions in relation to recommendation procedures

Statement of recommendation

Section 47 requires a relevant committee to provide the Minister with a statement of the reasons for its opinion that a person is suitable for appointment to the judicial office concerned.

Recommended persons to be considered first

Section 48 provides that the Government, in advising the President on judicial appointments, will first consider those persons whose names have been recommended to the Minister, or in the case of section 46, the Government.

Recommendation by relevant committee of name of committee member

Section 49 enables a relevant committee to recommend for appointment a serving member of that relevant committee who has made an application to the Commission under section 41 (*subsection (1)* and (*2*)). The committee member concerned would recuse him or herself from any relevant deliberations of the committee (*subsection (3)*).

Notice of appointment to be published

Section 50 provides for notice of an appointment to judicial office to be published in *Iris Oifigiúil*. The notice will say, if it be the case, that the person was recommended by the relevant committee, or the Advisory Committee under section 46, as the case may be.

Statement to Houses of the Oireachtas

Section 51 requires the Minister to have laid before each House of the Oireachtas an annual statement detailing the judicial appointments made by the President in the previous year. The annual statement must specify certain information, and must indicate if the particular appointee was recommended by the relevant committee to the Minister, or to the Government under section 46, where that is so.

PART 8

STATEMENT OF SELECTION PROCEDURES AND REQUISITE SKILLS AND ATTRIBUTES, REVIEWS AND RECOMMENDATIONS

Interpretation (Part 8)

Section 52 contains definitions for this Part.

Subsection (1)(b) defines “requisite skills and attributes” in a broad manner to encompass the range of skills, competencies and characteristics typically listed in a role profile document. *Subsection (2)* makes clear that separate statements of requisite skills and attributes may be prepared for different judicial offices in different courts or different classes of business in the same court.

Submissions or observations at request of Procedures Committee

Section 53 empowers the Procedures Committee to consult with the Court Presidents (*subsection (1)*), and to request submissions or observations from any person within a specified time period (*subsection (2)*). The Procedures Committee must consider the outcome of such actions (*subsection (3)*).

Selection procedures, and associated matters, to be subject of published statement

Section 54 provides for selection procedures relating to different judicial offices as well as a statement of requisite skills and attributes to be set out in a published statement.

Preparation of statements under this Part

Section 55 requires the Procedures Committee to prepare (a) a statement setting out the selection procedures, and (b) a statement of requisite skills and attributes for approval by the Commission (*subsection (1)*). The Procedures Committee must consult with the President of each court the subject of a particular statement (*subsections (2) and (3)*). The Procedures Committee must avail of the advice and expertise of any consultants or advisers appointed under section 14(7) (*subsection (4)*). In preparing the selection procedures statement the Procedures Committee must have regard to a number of matters including those specified in paragraph (a) to (h) of *subsection (5)*. *Subsection (6)* also sets down a number of matters to which the Committee must have regard concerning skills, attributes and capabilities which are required in applicants for judicial office.

Approval of statements by Commission

Section 56 requires the Commission to consider each of the statements submitted to it by the Procedures Committee. The Commission may approve, modify or refuse to approve the statement (*subsection (1)*). In case of refusal to approve, the Procedures Committee must prepare new statements (*subsection (2)*). The Commission must consult with the Minister before exercising its power to approve, modify or refuse to approve a statement submitted to it (*subsection (3)*).

Publication of judicial selection (procedures and required competencies) statement

Section 57 requires the Commission to publish on its website each statement or modified statement approved by it, together with any introductory comment the Commission may consider appropriate (*subsection (1)*). A time frame of 12 months, extendable to a maximum of 18 months, from commencement of this section applies to the making of such publications (*subsection (2)*). The Commission may at any time decide to replace a published statement with another approved by it in accordance with section 56(1), and in any such case it must be shown to be a replacement (*subsection (3)*). The Commission may ask the Procedures Committee to prepare a replacement statement in accordance with section 55 (*subsection (4)*).

Review by Procedures Committee and recommendations

Section 58 provides for the Procedures Committee to monitor and review the implementation of the legislation including in particular the matters specified in paragraphs (i) to (v), and, international developments in the selection and appointment of persons for judicial office (*subsection (1)*). The Procedures Committee may, or shall at the Commission's request, commission research into qualification requirements for appointment to judicial office and the requirements for selection and recommendation of persons for such appointment (*subsection (2)*). A review will be conducted 2 years after commencement of this section (*subsection (3)*). The Procedures Committee will report its findings including any recommendations to the Commission (*subsection (4)*). The Commission, having considered the report

and recommendations, will submit them together with any observations to the Minister for consideration (*subsection (5)*).

PART 9

MISCELLANEOUS

Dissolution of Judicial Appointments Advisory Board

Section 59 provides for the dissolution of the Judicial Appointments Advisory Board and consequential matters relating to the transfer of records to the Commission and any legal proceedings pending.

Amendment of section 22 of Standards in Public Office Act 2001

Section 60 amends section 22 of the Standards in Public Office Act 2001, which deals with evidence of compliance with Acts before appointment to judicial office, to take account of this Act and the repeal of section 16 of the Courts and Court Officers Act 1995.

Retirement age of judge of District Court increased to 70 years

Section 61 amends the Courts (Supplemental Provisions) Act 1961 to increase the retirement age of a District Court judge to 70 years.

Status of certain recommendations made by Judicial Appointments Advisory Board

Section 62 provides that any potential judicial appointment arising from the JAAB process will cease immediately upon the dissolution of the JAAB pursuant to section 59.

Transitional provision in relation to relevant committee's recommendation function

Section 63 sets out transitional arrangements which enable the relevant committee's selection and recommendation function to operate lawfully notwithstanding the absence of published statements referred to section 57, during the 12 (or up to 18) months after commencement of that section. Absent such published statements, the Commission may invite applications pursuant to section 40(b). In such circumstances the relevant committee may also indicate to applicants matters consistent with those specified in section 55(5) and (6) to which it will have regard in performing its selection and recommendation function.

Prohibition on canvassing

Section 64 makes it an offence, in respect of the process of selection or recommendation of persons for appointment to judicial office, for an applicant to attempt, directly or indirectly, to :

- canvass support for the application from any person involved in the process,
- influence improperly a decision of any person in the process, or
- otherwise interfere with or compromise the process in any way.

Service of documents

Section 65 sets out the procedures for the serving of notices under the Act.

SCHEDULE

JUDICIAL APPOINTMENTS COMMISSION

Paragraph 1 sets out standard provisions in relation to the status of the Commission as a body corporate with the power to hold and dispose of property.

Paragraphs 2 to 4 deal with the seal of the Commission.

Paragraph 5 is also standard and deals with membership of either House of the Oireachtas, the European Parliament or a local authority.

Financial Implications

It is envisaged that the annual cost of the operation of the legislation will be in the order of €1m in each full year of operation.

An Roinn Dlí agus Cirt agus Comhionannais,
Bealtaine, 2017.