Draft Order in Council laid before Parliament under section 2(5) of the Supreme Court Act 1981, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No.xx

SUPREME COURT OF ENGLAND AND WALES

The Maximum Number of Judges Order 2008

Made - - - - *xx*

Coming into force - - *xx*

At the Court at , the day of

Present,

The Queen's Most Excellent Majesty in Council

This Order is made in exercise of the power conferred by section 2(4) of the Supreme Court Act 1981(**a**).

In accordance with section 2(4A) of that Act(**b**) the Lord Chancellor has recommended to Her Majesty the making of this Order.

In accordance with section 2(5) of that Act a draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Accordingly, Her Majesty is pleased to make the following Order by and with the advice of Her Privy Council.

Citation and commencement

1. This Order may be cited as the Maximum Number of Judges Order 2008, and comes into force on the day after the day on which it is made.

(**a**) 1981 c.54.
(**b**) Section 2(4A) was inserted by the Constitutional Reform Act 2005 (c.4), section 15(1) and Schedule 4, Part 1, paragraphs 114, 115(1) and (4).

Amendment increasing the maximum number of ordinary judges of the Court of Appeal

2. In section 2(1) of the Supreme Court Act 1981(**a**) (which specifies the maximum number of ordinary judges of the Court of Appeal) for the words from "not more" to the end substitute "not more than 38 ordinary judges.".

Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order in Council increases the maximum number of ordinary judges of the Court of Appeal from 37 to 38.

(**a**) Section 2(1) was amended by S.I.1983/1705, 1987/2059, 1993/605, 1994/3217, 1996/1142 and 2002/2837.

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