



Judiciary and Courts (Scotland) Act 2008

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JUDICIARY AND COURTS (SCOTLAND) ACT 2008

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Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008. (See end of Document for details)

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SCHEDULE 1 — The Judicial Appointments Board for Scotland

Status of the Board

- 1 The Board is not a servant of the Crown and...

Membership

- 2 The Board consists of— (a) judicial members appointed by the...

Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008. (See end of Document for details)

The judicial and legal members

- 3 (1) The judicial members comprise— (a) two persons, each holding...

The lay members

- 4 (1) The number of lay members is to be equal...

Persons disqualified from membership

- 5 A person is disqualified from appointment, and from holding office,...

Term of office

- 6 (1) A member holds office for such period of not...

Resignation of members

- 7 (1) A member may resign office by giving notice in...

Removal of members

- 8 (1) The Lord President may, by notice in writing, remove...

Chairing Member: appointment and tenure

- 9 (1) The Scottish Ministers must appoint one of the lay...

Chairing Member: resignation, removal, vacancy etc.

- 10 (1) The Chairing Member may resign office as such by...

Temporary members

- 11 (1) Where the Chairing Member is satisfied that a member...

Conflicts of interest

- 12 (1) Sub-paragraph (2) applies where the Chairing Member is satisfied...

Fees and expenses

- 13 (1) Each member of the Board is entitled to such...

Appointment of persons to assist the Board

- 13A (1) The Board may appoint persons (other than Board members)...

- 13B (1) A person appointed under paragraph 13A(1) as a legal...

Powers and conduct of persons appointed to assist the Board

Administrative support

- 14 (1) The Scottish Ministers must provide, or ensure the provision...

Procedure

- 15 (1) The Board may determine its own procedure (including the...

Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008. (See end of Document for details)

Committees and delegation

16 (1) The Board may establish committees and may delegate the...

Proceedings relating to the Scottish Tribunals

16A (1) Sub-paragraph (2) applies where the Board is exercising any...

Validity of proceedings

17 The validity of any proceedings or actings of the Board...

Board to fall within remit of Commissioner for Public Appointments in Scotland

18 (1) In the Public Appointments and Public Bodies etc. (Scotland)...

Code of conduct for members

19 In the Ethical Standards in Public Life etc. (Scotland) Act...

Maladministration

20 (1) In the Scottish Public Services Ombudsman Act 2002 (asp...

Freedom of information

21 In the Freedom of Information (Scotland) Act 2002 (asp 13),...

Transitional provision: constitution of the first Board

22 (1) The first members of the Board are to be...

SCHEDULE 2 — Panels established under section 19(2)

Constitution of panel

1 (1) A panel established under section 19(2) in connection with...

Vacancies etc.

2 (1) If the Chairing Member of the Board is unable...

Qualifying judges

3 (1) The qualifying judges are— (a) those judges of the...

Fees and expenses

4 (1) Each member of a panel is entitled to such...

SCHEDULE 3 — THE SCOTTISH COURTS AND TRIBUNALS SERVICE

Status of SCTS

1 THE SCOTTISH COURTS AND TRIBUNALS SERVICE

Membership

2 (1) The SCTS consists of judicial members and non-judicial members....

Procedure for appointment of members

3 (1) It is for the Lord President to appoint the...

Persons disqualified from membership

4 A person is disqualified from appointment, and from holding office,...

Term of office

5 (1) This paragraph applies to a member of the SCTS...

Reappointment

6 A person who is, or has been, a member of...

Resignation and removal of members

7 (1) This paragraph applies to a member of the SCTS...

Suspension of judicial members

8 A judicial member is suspended from acting as such during...

Chairing of the SCTS

9 (1) The Lord President is to chair meetings of the...

Committees

10 (1) The SCTS may establish committees. (2) A person who...

Proceedings

11 The SCTS may determine— (a) its own procedure (including the...

Validity of actings

12 The validity of any proceedings or actings of the SCTS...

Remuneration and expenses

13 (1) The SCTS may pay to— (a) its members, and...

Chief Executive and other staff

14 (1) The SCTS must appoint a Chief Executive.

Ancillary powers

15 (1) The SCTS may do anything which it considers necessary...

Power to use local authority premises

16 (1) The SCTS may, where it considers it necessary for...

Delegation

17 (1) Any function of the SCTS may be carried out...

Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008. (See end of Document for details)

Freedom of information

- 18 In the Freedom of Information (Scotland) Act 2002 (asp 13),...

Transfer of staff

- 19 (1) Sub-paragraph (2) applies to persons who, on the coming...

Transfer of property and liabilities

- 20 (1) The Scottish Ministers may by order provide for the...

SCHEDULE 4 — Appointment etc. of office holders: consequential amendments

The Administration of Justice (Scotland) Act 1933 (c. 41)

- 1 (1) The Administration of Justice (Scotland) Act 1933 is amended...

The Sheriff Courts and Legal Officers (Scotland) Act 1927 (c. 35)

- 2 (1) The Sheriff Courts and Legal Officers (Scotland) Act 1927...

SCHEDULE 5 — Consequential amendments and repeals

The Courts of Law Fees (Scotland) Act 1895 (c. 14)

- 1 In the Courts of Law Fees (Scotland) Act 1895, in...

The Sheriff Courts (Scotland) Act 1971 (c. 58)

- 2 (1) The 1971 Act is amended as follows.

The Scotland Act 1998 (Transitory and Transitional Provisions) (Removal of Judges) Order 1999 (S.I. 1999/1017)

- 3 The Scotland Act 1998 (Transitory and Transitional Provisions) (Removal of...

The Senior Judiciary (Vacancies and Incapacity) (Scotland) Act 2006 (asp 9)

- 4 The Senior Judiciary (Vacancies and Incapacity) (Scotland) Act 2006 is...

The Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6)

- 5 (1) The Criminal Proceedings etc. (Reform) (Scotland) Act 2007 is...

Changes to legislation:

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