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

SCHEDULE 1
THE JUDICIAL APPOINTMENTS BOARD FOR SCOTLAND

Removal of members

- 8 (1) The Lord President may, by notice in writing, remove a judicial member from office if satisfied, after consulting the Chairing Member and the Scottish Ministers, that sub-paragraph (4) applies in relation to the member.
- (2) The Scottish Ministers may, by notice in writing, remove a legal or lay member from office if satisfied, after consulting the Chairing Member (unless that is the member concerned) and the Lord President, that sub-paragraph (4) applies in relation to the member.
- (3) A member may not be removed from office under sub-paragraph (1) or (2) without the member being afforded an opportunity to be heard by the Lord President or, as the case may be, the Scottish Ministers.
- (4) This sub-paragraph applies if the member—
- (a) has failed without reasonable excuse to discharge the functions of a member for a continuous period of 6 months,
 - (b) has been convicted of any offence,
 - (c) has become insolvent, or
 - (d) is otherwise unfit to be a member or unable for any reason to discharge the functions of a member.
- (5) For the purposes of sub-paragraph (4)(c), a member becomes insolvent on—
- (a) the approval of a voluntary arrangement proposed by the member,
 - (b) being adjudged bankrupt,
 - (c) the member's estate's being sequestrated, or
 - (d) the member's granting a trust deed for creditors.

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