

*Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Paragraph 2. (See end of Document for details)*

### SCHEDULE 3 [<sup>F1</sup>THE SCOTTISH COURTS AND TRIBUNALS SERVICE]

#### Textual Amendments

- F1** Sch. 3 title substituted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 4 para. 1(12)(c)**; S.S.I. 2015/77, art. 2(2)(3), Sch.

#### Membership

- 2 (1) The [<sup>F1</sup>SCTS] consists of judicial members and non-judicial members.
- (2) The judicial members comprise—
- (a) the Lord President,
  - (b) the Lord Justice Clerk,
  - [<sup>F2</sup>(c) the President of the Scottish Tribunals,]
  - (d) one person holding the office of sheriff principal,
  - (e) two persons [<sup>F3</sup>, each holding either the office of sheriff or of summary sheriff], <sup>F4</sup>...
  - (f) one person holding the office of justice of the peace [<sup>F5</sup>, and
  - (g) one person holding the position of Chamber President in the First-tier Tribunal for Scotland.]
- (3) The non-judicial members comprise—
- (a) an advocate practising as such in Scotland,
  - (b) a solicitor practising as such in Scotland,
  - (c) the Chief Executive (appointed under paragraph 14(1)), and
  - (d) three other individuals none of whom is qualified for appointment as a judicial member or for appointment under any of the preceding paragraphs.
- (4) Each of the descriptions of members mentioned in sub-paragraphs (2) and (3) is referred to in this schedule as a “category of membership”.
- (5) Subject to sub-paragraph (6), the Scottish Ministers may, with the consent of the Lord President, by order modify sub-paragraph (2) or (3).
- (6) The Scottish Ministers must not make an order under sub-paragraph (5) if its effect would be that the total number of judicial members would no longer exceed the total number of non-judicial members.
- [<sup>F6</sup>(7) In this schedule, references to the position of Chamber President in the First-tier Tribunal for Scotland are to be construed in accordance with the Tribunals (Scotland) Act 2014.]

#### Textual Amendments

- F1** Word in Act substituted (2.2.2015 for specified purposes, 1.4.2015 in so far as not already in force) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 4 para. 1(2)**; S.S.I. 2015/12, art. 2; S.S.I. 2015/77, art. 2(2)(3), Sch.

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- F2** Sch. 3 para. 2(2)(c) substituted (2.2.2015 for specified purposes, 1.4.2015 in so far as not already in force) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 4 para. 1(8)(a)**; S.S.I. 2015/12, art. 2; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F3** Words in sch. 3 para. 2(2)(e) substituted (27.4.2020) by The Scottish Courts and Tribunals Service (Judicial Members) Amendment Order 2020 (S.S.I. 2020/111), arts. 1, 2
- F4** Word in Sch. 3 para. 2(2) repealed (2.2.2015 for specified purposes, 1.4.2015 in so far as not already in force) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 4 para. 1(8)(b)**; S.S.I. 2015/12, art. 2; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F5** Sch. 3 para. 2(2)(g) inserted (2.2.2015 for specified purposes, 1.4.2015 in so far as not already in force) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 4 para. 1(8)(c)**; S.S.I. 2015/12, art. 2; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F6** Sch. 3 para. 2(7) inserted (2.2.2015 for specified purposes, 1.4.2015 in so far as not already in force) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 4 para. 1(8)(d)**; S.S.I. 2015/12, art. 2; S.S.I. 2015/77, art. 2(2)(3), Sch.

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**Modifications etc. (not altering text)**

- C1** Sch. 3 para. 2(2)(g) applied (with modifications) (temp.) (2.2.2015 for specified purposes, 1.4.2015 in so far as not already in force) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 4 para. 3(3)**; S.S.I. 2015/12, art. 2; S.S.I. 2015/77, art. 2(2)(3), Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Paragraph 2.