



# Judiciary and Courts (Scotland) Act 2008

## 2008 asp 6

### PART 2

#### THE JUDICIARY

### CHAPTER 3

#### JUDICIAL APPOINTMENTS

#### *[<sup>F1</sup>Other Court of Session judges*

#### **[<sup>F1</sup>20E Re-employment of former Court of Session and Supreme Court judges**

- (1) The Lord President may appoint a qualifying former judge to act as a judge of the Court of Session.
- (2) An individual appointed under subsection (1) may also, by virtue of the appointment, act as a judge of the High Court of Justiciary.
- (3) An individual so appointed may act as a judge only during such periods or on such occasions as the Lord President may determine.
- (4) The Lord President may make an appointment under subsection (1) only if it appears to the Lord President to be expedient as a temporary measure in order to facilitate the disposal of business in the Court of Session or the High Court of Justiciary.
- (5) A “qualifying former judge” is an individual who—
  - (a) has ceased to hold the office of—
    - (i) judge of the Court of Session other than by virtue of section 95(6) of the Scotland Act 1998, or
    - (ii) Justice of the Supreme Court or President or Deputy President of that Court and who, at the time of being appointed to the office in question, was eligible for appointment as a judge in the Court of Session, and
  - (b) has not reached the age of 75.]

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**Changes to legislation:** *There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Section 20E. (See end of Document for details)*

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### **Textual Amendments**

- F1** Ss. 20A-20G and preceding cross-heading substituted for ss. 21-23 (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), **ss. 123**, 138(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, Section 20E.