



Judiciary and Courts (Scotland) Act 2008

2008 asp 6

PART 2

THE JUDICIARY

CHAPTER 4

JUDICIAL CONDUCT

Suspension

34 Suspension

- (1) If the Lord President considers that it is necessary for the purpose of maintaining public confidence in the judiciary, the Lord President may suspend a judicial office holder—
 - (a) from acting as a judge as mentioned in paragraph (b) or (c) of the definition of “judicial office holder” in subsection (1) of section 43, or
 - (b) from any of the judicial offices mentioned in subsection (2) of that section.
- (2) Such a suspension lasts for such period as the Lord President may specify when suspending the judicial office holder.
- (3) Nothing in subsection (1) affects any remuneration payable to, or in respect of, the judicial office holder.
- (4) The Lord President's functions under this section may be carried out—
 - (a) where the Lord President is unavailable, by the Lord Justice Clerk,
 - (b) where both the Lord President and the Lord Justice Clerk are unavailable, by the senior judge of the Inner House.
- (5) In subsection (4)(b) the reference to the senior judge of the Inner House is to be construed by reference to seniority of appointment to a Division of the Inner House.

Changes to legislation: There are currently no known outstanding effects for the
Judiciary and Courts (Scotland) Act 2008, Section 34. (See end of Document for details)

Commencement Information

II S. 34 in force at 1.4.2010 by [S.S.I. 2010/39](#), art. 2(b), **Sch.**

Changes to legislation:

There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Section 34.