



Judiciary and Courts (Scotland) Act 2008

2008 asp 6

PART 2

THE JUDICIARY

CHAPTER 7

MEANING OF “JUDICIAL OFFICE HOLDER”

43 Meaning of “judicial office holder”

(1) In this Part “judicial office holder” means—

- (a) the holder of any of the judicial offices mentioned in subsection (2),
- (b) a person acting as a judge by virtue of section [F¹20E(1) (re-employment of former judges) or 20F(3) (re-employment of former judges: further provision)], or

[F²(c) a person acting as a sheriff or as a summary sheriff by virtue of section 12(1) or 13(5) of the Courts Reform (Scotland) Act 2014.]

(2) Those judicial offices are—

- (a) the office of judge of the Court of Session,
- (b) the office of Chairman of the Scottish Land Court,
- (c) the office of temporary judge,
- [F³(ca) the office of Appeal Sheriff,]
- (d) the office of sheriff principal,
- (e) the office of temporary sheriff principal,
- (f) the office of sheriff,
- (g) the office of part-time sheriff,
- [F⁴(ga) the office of summary sheriff,
- (gb) the office of part-time summary sheriff,]
- [F⁵(h)
- (i) the office of justice of the peace,

Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Section 43. (See end of Document for details)

- (j) such other judicial offices (whether full-time, part-time or temporary) as the Scottish Ministers may by order specify.
- (3) Before making an order under subsection (2)(j), the Scottish Ministers must consult the Lord President.

Textual Amendments

- F1** Words in s. 43(1)(b) substituted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 38(2)**; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F2** S. 43(1)(c) substituted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 9(4)(a)**; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F3** S. 43(2)(ca) inserted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 16(3)**; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F4** S. 43(2)(ga)(gb) inserted (1.4.2015) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 9(4)(b)**; S.S.I. 2015/77, art. 2(2)(3), Sch.
- F5** S. 43(2)(h) repealed (1.4.2016) by Courts Reform (Scotland) Act 2014 (asp 18), s. 138(2), **Sch. 5 para. 41**; S.S.I. 2016/13, art. 2, Sch.

Commencement Information

- I1** S. 43 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 43.