

2022 No. 268

PUBLIC BODIES

**The Judicial Appointments Board for Scotland (Membership)
Modification Order 2022**

Made - - - - *7th September 2022*
Laid before the Scottish Parliament *9th September 2022*
Coming into force - - *4th November 2022*

The Scottish Ministers make the following Order in exercise of the powers conferred by paragraph 3(4) of schedule 1 of the Judiciary and Courts (Scotland) Act 2008^(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Judicial Appointments Board for Scotland (Membership) Modification Order 2022 and comes into force on 4 November 2022.

Modification of the Judiciary and Courts (Scotland) Act 2008

2.—(1) The Judiciary and Courts (Scotland) Act 2008 is amended as follows.

(2) In schedule 1 (the Judicial Appointments Board for Scotland)—

- (a) in paragraph 3(1)(a), for “one person” substitute “two persons, each”,
- (b) omit the “and” immediately after paragraph 3(2)(a),
- (c) after paragraph 3(2)(b), insert—

“, and

- (c) one person who may be either—
 - (i) an advocate practising as such in Scotland, or
 - (ii) a solicitor practising as such in Scotland.”.

KEITH BROWN
A member of the Scottish Government

St Andrew’s House,
Edinburgh
7th September 2022

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies the Judiciary and Courts (Scotland) Act 2008 (“the 2008 Act”).

Article 2(2)(a) increases the number of members of the Judicial Appointments Board for Scotland (“the Board”) who are judges of the Court of Session from one to two. Article 2(2)(c) provides for an additional legal member of the Board, who may be either a solicitor or an advocate.

In accordance with paragraph 4 of schedule 1 of the 2008 Act, the number of lay members of the board is to be equal to the total number of judicial and legal members. This Order therefore has the additional effect of increasing the required number of lay members by two persons.

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