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**Changes to legislation:** There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Cross Heading: Chairing Member: resignation, removal, vacancy etc.. (See end of Document for details)

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SCHEDULE 1  
THE JUDICIAL APPOINTMENTS BOARD FOR SCOTLAND

*Chairing Member: resignation, removal, vacancy etc.*

- 10 (1) The Chairing Member may resign office as such by giving notice in writing to the Scottish Ministers.
- (2) The Scottish Ministers may, by notice in writing, remove the Chairing Member from office if, after consulting the Lord President, they are satisfied that the member—
- (a) has failed without reasonable excuse to discharge the functions of the Chairing Member for a continuous period of 6 months, or
  - (b) is otherwise unfit to be the Chairing Member or unable for any reason to carry out the functions of the Chairing Member.
- (3) During any period when there is a vacancy in the office of the Chairing Member, the functions of the Chairing Member may be carried out by another lay member nominated by the Board.
- (4) During any period when the Chairing Member is for any reason unable to act, the functions of the Chairing Member may be carried out by another lay member nominated—
- (a) by the Chairing Member, or
  - (b) if the Chairing Member is unable to make such a nomination, by the Board.
- (5) Sub-paragraphs (1), (2) and (4) apply to a member carrying out functions by virtue of sub-paragraph (3) or (4) as they apply to the Chairing Member.

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