

*Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Paragraph 3. (See end of Document for details)*

## SCHEDULE 1 THE JUDICIAL APPOINTMENTS BOARD FOR SCOTLAND

### *The judicial and legal members*

- 3 (1) The judicial members comprise—
- (a) [<sup>F1</sup>two persons, each] holding the office of judge of the Court of Session (other than the Lord President and the Lord Justice Clerk),
  - (b) one person holding the office of sheriff principal, <sup>F2</sup>...
  - (c) one person holding the office of sheriff [<sup>F3</sup>, and
  - (d) one person holding the position of Chamber President or of Vice-President within the Scottish Tribunals.]
- (2) The legal members comprise—
- (a) one advocate practising as such in Scotland, <sup>F4</sup>...
  - (b) one solicitor practising as such in Scotland [<sup>F5</sup>, 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.]
- (3) Each of the descriptions of members mentioned—
- (a) in sub-paragraph (1) is referred to in this schedule as a “judicial membership category”, and
  - (b) in sub-paragraph (2) is referred to in this schedule as a “legal membership category”.
- (4) The Scottish Ministers may by order modify sub-paragraph (1) or (2).
- (5) However, an order under sub-paragraph (4) may not remove any judicial or legal membership category other than one added by such an order.
- [<sup>F6</sup>(6) For the purposes of sub-paragraph (1)(d)—
- “ Scottish Tribunals ” is to be construed in accordance with the Tribunals (Scotland) Act 2014,
  - “ Chamber President ” means Chamber President in the First-tier Tribunal as referred to in that Act and “ Vice-President ” means Vice-President of the Upper Tribunal as referred to in that Act. ]

#### Textual Amendments

- F1** Words in sch. 1 para. 3(1)(a) substituted (4.11.2022) by [The Judicial Appointments Board for Scotland \(Membership\) Modification Order 2022 \(S.S.I. 2022/268\)](#), arts. 1, **2(2)(a)**
- F2** Word in Sch. 1 para. 3(1) repealed (1.4.2015) by [Tribunals \(Scotland\) Act 2014 \(asp 10\)](#), s. 83(2), [Sch. 9 para. 12\(4\)\(a\)](#) (with [Sch. 9 para. 8](#)); S.S.I. 2015/116, art. 2
- F3** Sch. 1 para. 3(1)(d) inserted (1.4.2015) by [Tribunals \(Scotland\) Act 2014 \(asp 10\)](#), s. 83(2), [Sch. 9 para. 12\(4\)\(b\)](#) (with [Sch. 9 para. 810\(1\)\(a\)](#)); S.S.I. 2015/116, art. 2
- F4** Word in sch. 1 para. 3(2) omitted (4.11.2022) by virtue of [The Judicial Appointments Board for Scotland \(Membership\) Modification Order 2022 \(S.S.I. 2022/268\)](#), arts. 1, **2(2)(b)**
- F5** [Sch. 1 para. 3\(2\)\(c\)](#) and word inserted (4.11.2022) by [The Judicial Appointments Board for Scotland \(Membership\) Modification Order 2022 \(S.S.I. 2022/268\)](#), arts. 1, **2(2)(c)**

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**F6** Sch. 1 para. 3(6) inserted (1.4.2015) by [Tribunals \(Scotland\) Act 2014 \(asp 10\)](#), s. 83(2), **Sch. 9 para. 12(4)(c)** (with [Sch. 9 para. 8](#)); S.S.I. 2015/116, art. 2

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