



# Judiciary and Courts (Scotland) Act 2008

2008 asp 6

## PART 2

### THE JUDICIARY

#### CHAPTER 3

##### JUDICIAL APPOINTMENTS

###### *Sheriffs principal, sheriffs and part-time sheriffs*

#### **24 Appointment of temporary sheriffs principal**

- (1) Section 11 (appointment of temporary sheriffs principal) of the 1971 Act is amended as follows.
- (2) In subsection (1), for the words from “Secretary of State” to “sheriffdom,” in the second place that word appears substitute “Scottish Ministers must, if the Lord President of the Court of Session so requests,”.
- (3) After that subsection insert—

“(1ZA) The Lord President may request the appointment of a person to act as a sheriff principal under subsection (1) only if it appears to him expedient that such an appointment be made in order to avoid delay in the administration of justice in the sheriffdom concerned.”.
- (4) In subsection (1A), for “Secretary of State may” substitute “Scottish Ministers must, if the Lord President so requests,”.
- (5) In subsection (4), for “Secretary of State” substitute “Scottish Ministers, at the request of the Lord President”.
- (6) After that subsection insert—

“(4ZA) The Scottish Ministers must comply with any request made by the Lord President under subsection (4) above.”.

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*Status: This is the original version (as it was originally enacted).*

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(7) In subsection (5)—

- (a) for “Secretary of State” substitute “Scottish Ministers”, and
- (b) for “directs” substitute “direct”.