



Judiciary and Courts (Scotland) Act 2008

2008 asp 6

PART 2

THE JUDICIARY

CHAPTER 5

REMOVAL FROM OFFICE

Judges

36 Suspension during investigation

- (1) Where the Lord President has requested that the First Minister constitute a tribunal under section 35, the Lord President may, at any time before the tribunal reports to the First Minister, suspend the person who is to be, or is, the subject of the investigation, from office.
- (2) Such a suspension lasts until the Lord President orders otherwise.
- (3) A tribunal constituted under section 35 may, at any time before the tribunal reports to the First Minister, recommend to the First Minister that the person who is the subject of the tribunal's investigation be suspended from office.
- (4) Such a recommendation must be in writing.
- (5) The First Minister on receiving such a recommendation may suspend the person from office.
- (6) Such a suspension lasts until the First Minister orders otherwise.
- (7) Suspension under this section from the office of Lord President, Lord Justice Clerk, judge of the Court of Session or Chairman of the Scottish Land Court does not affect any remuneration payable to, or in respect of, the office in respect of the period of suspension.

Changes to legislation: There are currently no known outstanding effects for the
Judiciary and Courts (Scotland) Act 2008, Section 36. (See end of Document for details)

Commencement Information

II S. 36 in force at 1.4.2010 by S.S.I. 2010/39, art. 2(b), **Sch.** (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Section 36.