



# Judiciary and Courts (Scotland) Act 2008

## 2008 asp 6

### PART 2

#### THE JUDICIARY

### CHAPTER 5

#### REMOVAL FROM OFFICE

##### *Judges*

#### **39 Temporary judges: removal from office**

- (1) Where subsection (2) applies, a person may be removed from office as a temporary judge by the First Minister.
- (2) This subsection applies if—
  - (a) a tribunal constituted under section 35 has reported to the First Minister that the person is unfit to hold that office by reason of inability, neglect of duty or misbehaviour, and
  - (b) the First Minister has laid the report before the Scottish Parliament.

#### **Commencement Information**

**II** S. 39 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 39.