



# Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

## 2013 asp 3

### PART 1 **S**

#### SCOTTISH CIVIL JUSTICE COUNCIL

##### *Membership*

### 8 Tenure **S**

- (1) The Lord President, the Chief Executive of the Scottish Court Service and the principal officer of the Scottish Legal Aid Board are members of the Council by virtue of holding their respective offices.
- (2) A member appointed by the Scottish Ministers holds office until such time as the Scottish Ministers appoint a replacement member.
- (3) A judicial member holds office for a period of 3 years unless, prior to the expiry of that period, the Lord President replaces the member with another judicial member or requires the member to leave office.
- (4) Any other member holds office for a period of 3 years.
- (5) A member appointed under section 7(1) ceases to hold office—
  - (a) at the end of a period of appointment,
  - (b) upon giving written notice of resignation to the Lord President,
  - (c) on becoming disqualified from holding office as a member or on being removed from such office (see section 9),
  - (d) on ceasing to fall within the category of membership in respect of which the member was appointed.
- (6) For the purposes of subsection (5)(d), a LP member ceases to fall within that category of membership where, in the opinion of the Lord President, the basis of the LP member's appointment has materially changed.

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**Changes to legislation:** *Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Section 8 is up to date with all changes known to be in force on or before 03 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(7) A person who is or has been a member of the Council may be reappointed (whether in respect of the same or a different category of membership) for further periods.

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**Commencement Information**

**I1** S. 8 in force at 28.5.2013 by [S.S.I. 2013/124](#), **art. 2** (with [art. 3](#))

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[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 8(1) words inserted by [2014 asp 10 sch. 9 para. 13\(7\)\(a\)](#)
- specified provisions amendment to earlier commencing SSI 2013/271 art. 2 by [S.S.I. 2013/271 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(1)(c)(ii) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(b\)\(ii\)](#)
- s. 2(1)(ba) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(a\)](#)
- s. 2(3)(ca) inserted by [2014 asp 10 sch. 9 para. 13\(3\)](#)
- s. 2(7) inserted by [2014 asp 10 sch. 9 para. 13\(4\)](#)
- s. 6(1)(aa) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(b\)](#)
- s. 6(1)(ea) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(c\)](#)
- s. 8(3A) inserted by [2014 asp 10 sch. 9 para. 13\(7\)\(b\)](#)
- s. 13A and cross-heading inserted by [2014 asp 10 sch. 9 para. 13\(9\)](#)
- s. 16(1) s. 16 renumbered as s. 16(1) by [2014 asp 10 sch. 9 para. 13\(10\)\(a\)](#)
- s. 16(1) words inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(b\)](#)
- s. 16(2) inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(c\)](#)