



# Judiciary and Courts (Scotland) Act 2008

## 2008 asp 6

### PART 2 **U.K.**

#### THE JUDICIARY

### CHAPTER 3 **S**

#### JUDICIAL APPOINTMENTS

##### *[<sup>F1</sup>Other Court of Session judges*

#### **[<sup>F1</sup>20F Re-employment of former judges: further provision **S****

- (1) Subject to subsection (2), an individual's appointment under section 20E(1) lasts until recalled by the Lord President.
- (2) An individual's appointment under section 20E(1) ceases when the individual reaches the age of 75.
- (3) Despite the ending of an individual's appointment under section 20E(1)—
  - (a) the individual may continue to deal with, give judgment in or deal with an ancillary matter relating to, a case begun before the individual while acting under that appointment,
  - (b) so far as necessary for that purpose, and for the purpose of any subsequent proceedings arising out of the case or matter, the individual is to be treated as acting or, as the case may be, having acted under that appointment.
- (4) Subject to subsection (5), an individual appointed under section 20E(1) is, while acting as a judge of the Court of Session or the High Court of Justiciary, to be treated for all purposes as a judge of that Court and may exercise the jurisdiction and powers that attach to that office.
- (5) Such an individual is not to be treated as a judge of the Court of Session for the purposes of any enactment or rule of law relating to—
  - (a) the appointment, tenure of office, retirement, removal or disqualification of judges of that Court (including, without limiting that generality, any

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**Changes to legislation:** There are currently no known outstanding effects for the  
Judiciary and Courts (Scotland) Act 2008, Section 20F. (See end of Document for details)

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enactment or rule of law relating to the number of judges who may be appointed),

- (b) the oaths to be taken by such judges,
- (c) the remuneration, allowances or pensions of such a judge.]

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#### Textual Amendments

- F1** Ss. 20A-20G and preceding cross-heading substituted for ss. 21-23 (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), **ss. 123**, 138(2); S.S.I. 2015/77, art. 2(2)(3), Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, Section 20F.