



# Judiciary and Courts (Scotland) Act 2008

## 2008 asp 6

### PART 2

#### THE JUDICIARY

#### CHAPTER 7

##### MEANING OF “JUDICIAL OFFICE HOLDER”

#### 43 Meaning of “judicial office holder”

- (1) In this Part “judicial office holder” means—
- (a) the holder of any of the judicial offices mentioned in subsection (2),
  - (b) a person acting as a judge by virtue of section 22(1) or (4) (re-employment of retired Court of Session judges) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), or
  - (c) a person acting as a sheriff by virtue of section 14A(1) or (8) (re-employment of retired sheriffs principal and sheriffs) of the 1971 Act.
- (2) Those judicial offices are—
- (a) the office of judge of the Court of Session,
  - (b) the office of Chairman of the Scottish Land Court,
  - (c) the office of temporary judge,
  - (d) the office of sheriff principal,
  - (e) the office of temporary sheriff principal,
  - (f) the office of sheriff,
  - (g) the office of part-time sheriff,
  - (h) the office of stipendiary magistrate,
  - (i) the office of justice of the peace,
  - (j) such other judicial offices (whether full-time, part-time or temporary) as the Scottish Ministers may by order specify.
- (3) Before making an order under subsection (2)(j), the Scottish Ministers must consult the Lord President.