



Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

2013 asp 3

PART 1

SCOTTISH CIVIL JUSTICE COUNCIL

Membership

6 Composition of the Council

- (1) The Council is to have not more than 20 members and is to be comprised of—
- (a) the Lord President,
 - (b) the Chief Executive of the Scottish Court Service,
 - (c) the principal officer of the Scottish Legal Aid Board,
 - (d) 1 member appointed by the Scottish Ministers under subsection (2),
 - (e) at least 4 judges (“judicial members”), including a minimum of—
 - (i) 1 judge of the Court of Session, and
 - (ii) 1 sheriff principal or sheriff,
 - (f) at least 2 practising advocates (“advocate members”),
 - (g) at least 2 practising solicitors (“solicitor members”),
 - (h) at least 2 persons (“consumer representative members”) who, between them, appear to the Lord President to have—
 - (i) experience and knowledge of consumer affairs,
 - (ii) knowledge of the non-commercial legal advice sector, and
 - (iii) an awareness of the interests of litigants in the civil courts, and
 - (i) up to 6 other persons considered by the Lord President to be suitable to be members of the Council (“LP members”).
- (2) The Scottish Ministers must appoint as a member a person who is a member of staff of the Scottish Government and whom they consider to be suitable to be a member of the Council.

Changes to legislation: *Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Section 6 is up to date with all changes known to be in force on or before 25 May 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*

- (3) The Scottish Ministers may by order amend subsection (1) by substituting for the number of members (or the minimum number in a category of membership) for the time being specified there such other number as they think fit.
- (4) Before making an order under subsection (3) the Scottish Ministers must consult the Lord President.
- (5) The power to make an order under subsection (3) includes power to make such supplementary, incidental, consequential, transitional, transitory or saving provision as the Scottish Ministers consider appropriate.
- (6) But such power does not include power to modify the description of a category of membership described in subsection (1) or to add a category of membership.
- (7) Orders under subsection (3) are subject to the affirmative procedure.

Commencement Information

II S. 6 in force at 28.5.2013 by [S.S.I. 2013/124](#), [art. 2](#) (with [art. 3](#))

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Changes and effects yet to be applied to :

- s. 6(1) word substituted by [2014 asp 10 sch. 9 para. 13\(6\)\(a\)](#)
- 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\(10\)\(c\)](#)