



Judiciary and Courts (Scotland) Act 2008

2008 asp 6

PART 2

THE JUDICIARY

CHAPTER 3

JUDICIAL APPOINTMENTS

[^{F1}Other Court of Session judges

[^{F1}20B Temporary judges

- (1) The Scottish Ministers may appoint an individual to act as a judge of the Court of Session; and an individual so appointed is to be known as a “temporary judge”.
- (2) An individual appointed under subsection (1) may also, by virtue of the appointment, act as a judge of the High Court of Justiciary.
- (3) The Scottish Ministers may appoint an individual under subsection (1) only if—
 - (a) the individual is qualified for appointment as a judge of the Court of Session, and
 - (b) the Scottish Ministers have consulted the Lord President before making the appointment.
- (4) Subject to section 20C, an appointment as a temporary judge lasts for 5 years.
- (5) Subject to subsection (6), an individual appointed under subsection (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.
- (6) 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

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

- enactment or rule of law relating to the number of judges who may be appointed),
- (b) the remuneration, allowances or pensions of such a judge.
- (7) The appointment of an individual under subsection (1) does not affect—
- (a) any appointment of the individual as a sheriff principal or sheriff, or
- (b) the individual's continuing with any business or professional occupation not inconsistent with the individual acting as a judge.]

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 20B.