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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 225**

**The Scottish Sentencing Council (Procedure for Appointment of Members) Regulations 2015**

**Selection for appointment: applications**

2.—(1) The Lord Justice General will invite applications from persons eligible for selection as a member of the Council listed at paragraphs 1(3)(b), 1(3)(c), 1(4)(b) and 1(4)(c) of schedule 1 to the 2010 Act.

(2) An application must be in writing (including email, fax or by other electronic means which is legible and capable of being used for subsequent reference).

(3) The Lord Justice General must appoint a panel, to consider the applications received.

(4) The members of the panel must be selected by the Lord Justice General and comprise a minimum of two persons, one of whom may be the Lord Justice General.

(5) The panel must be chaired by—

(a) where the Lord Justice General sits on the panel, the Lord Justice General; or

(b) where the Lord Justice General does not sit on the panel, a panel member selected by the Lord Justice General.

(6) Subject to paragraph 7, the panel must select persons suitable for appointment on the basis of their application.

(7) Where the panel is unable to make a selection based on an application, the panel must interview the applicant.

(8) Where paragraph 7 applies, the panel must select persons suitable for appointment on the basis of that interview.

(9) The panel may select as suitable for appointment more persons than are required to be appointed in each category of membership.

(10) Where the Lord Justice General has not been a member of the panel, the panel must notify the Lord Justice General of persons selected as suitable for appointment.

(11) Where the panel selects more persons than are required to be appointed in each category of membership, if the Lord Justice General has not been a member of the panel, the Lord Justice General must be notified, by the chair of the panel, of the order of preference for appointment.

(12) Before persons that the panel select as suitable to be members of the Council listed at paragraphs 1(4)(b) and 1(4)(c) of schedule 1 to the 2010 Act, can be appointed, the Lord Justice General must consult with the Dean of the Faculty of Advocates and the President of the Law Society of Scotland, respectively.