



Judiciary and Courts (Scotland) Act 2008

2008 asp 6

PART 2

THE JUDICIARY

CHAPTER 4

JUDICIAL CONDUCT

Judicial Complaints Reviewer

31 Judicial Complaints Reviewer: tenure etc.

- (1) The Scottish Ministers are to determine with the consent of the Lord President—
 - (a) the period for which a person is appointed as the Judicial Complaints Reviewer, and
 - (b) subject to subsection (2), the other terms and conditions on which a person is so appointed.
- (2) The Scottish Ministers may pay to the Judicial Complaints Reviewer such fees and expenses as they may determine.
- (3) The Judicial Complaints Reviewer may resign office by giving notice in writing to the Scottish Ministers.
- (4) If—
 - (a) the Scottish Ministers are satisfied that subsection (5) applies, and
 - (b) the Lord President consents,the Scottish Ministers may, by notice in writing, remove the Judicial Complaints Reviewer from office.
- (5) This subsection applies if—
 - (a) the Judicial Complaints Reviewer has failed without reasonable excuse to carry out the functions of that office for a continuous period of 6 months,
 - (b) the Reviewer has been convicted of an offence,

Status: This is the original version (as it was originally enacted).

- (c) the Reviewer has become insolvent, or
 - (d) the Reviewer is otherwise unfit to be the Judicial Complaints Reviewer or unable for any reason to carry out the functions of that office.
- (6) For the purposes of subsection (5)(c), the Reviewer becomes insolvent on—
- (a) the approval of a voluntary arrangement proposed by the Reviewer,
 - (b) being adjudged bankrupt,
 - (c) the Reviewer's estate's being sequestrated, or
 - (d) the Reviewer's granting a trust deed for creditors.
- (7) A person who is or has been the Judicial Complaints Reviewer may be reappointed for further periods.
- (8) A person holding office by virtue of subsection (7) may not hold office for periods (whether or not consecutive) totalling more than 5 years.