
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 210

The Justices of the Peace (Scotland) Order 2007

Appointments to JPAC – procedure

7.—(1) A person may not be appointed as a member of a JPAC without having been interviewed by a panel comprising—

- (a) the convener of that JPAC or a sheriff having jurisdiction in the relevant area who has been nominated by the convener; and
- (b) two justices of the peace for the relevant area, each of whom has been a justice of the peace for at least 5 years.

(2) The convener of the JPAC or a sheriff nominated by the convener under paragraph (1)(a) shall select the justices of the peace referred to in paragraph (1)(b).

(3) In paragraph (1), the “relevant area” is the sheriffdom in respect of which the JPAC is formed except that, in the case of an interview under paragraph (1) held prior to the specified day, the “relevant area” in sub paragraph (b) of that paragraph is a commission area any part of which falls within that sheriffdom.

(4) In making appointments to the JPAC, the sheriff principal—

- (a) shall bring the existence of a vacancy to the attention of—
 - (i) all JPs appointed for the sheriffdom; or
 - (ii) in the case of a vacancy arising before the specified day, all full justices appointed for a commission area any part of which falls within the sheriffdom, if the vacancy is one which the sheriff principal intends should be filled by a justice of the peace; and
- (b) shall arrange for the existence of a vacancy to be advertised in a newspaper circulating in the sheriffdom if the vacancy is one which the sheriff principal intends should be filled by a person who is not the holder of a judicial office.

(5) In paragraph (4)(a)(ii) “full justices” means full justices whose names have been included in a duty rota of justices (that is, such a rota as approved under section 16(1)(b) of the 1975 Act) for any time during the 12 months ending on the coming into force of this Order.