



# Senior Judiciary (Vacancies and Incapacity) (Scotland) Act 2006

2006 asp 9

## 4 Interpretation

(1) In this Act—

- (a) “incapacitated”, in relation to the Lord President or the Lord Justice Clerk, means unable by reason of ill health to exercise the functions of the office concerned;
- (b) “the Inner House” means the Inner House of the Court of Session;
- (c) a reference to judges of the Inner House is to judges in the First or Second Division of the Inner House;
- (d) a reference to the senior judge, the second senior judge or the next senior judge of the Inner House is to be construed by reference to seniority of appointment to a Division of the Inner House, but does not include the Lord President or the Lord Justice Clerk;
- (e) a reference to—
  - (i) any function of the Lord President includes any function of the Lord Justice General;
  - (ii) anything that falls to be done in relation to the Lord President includes anything that falls to be done in relation to the Lord Justice General;
  - (iii) the functions of the office of Lord President includes the functions of the office of Lord Justice General.

- (2) Where any other enactment makes provision for the exercise of any function of the Lord President by the Lord Justice Clerk, this Act does not affect the operation of that enactment except in relation to any period during which section 1(2) applies.