



# Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

## PART 3

### ENFORCEMENT

#### *Judicial officers*

#### **58 Appointment of judicial officer**

- (1) Where the Commission is satisfied—
  - (a) that a person who applies to it is a fit and proper person to be appointed as a judicial officer; and
  - (b) having regard to—
    - (i) the number of persons already holding commission as officers; and
    - (ii) any other matters the Commission considers relevant,that the appointment is appropriate,the Commission must, subject to section 63(3) of this Act, recommend that the Lord President of the Court of Session grants that person a commission as an officer.
- (2) The Commission must send a copy of its decision on an application for a commission as a judicial officer to the person who applied for the commission.
- (3) Where the Lord President grants a person a commission as a judicial officer under section 57(2) of this Act, the Commission must issue an official identity card, in a form determined by the Commission, to the officer.
- (4) A judicial officer carrying out an officer's functions must, on being requested to do so, exhibit the official identity card issued under subsection (3) above.
- (5) The Commission may make rules about—
  - (a) the procedure for applications for a commission as a judicial officer;
  - (b) the qualifications that a person must have before that person may be granted a commission under section 57(2) of this Act;

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*Status: This is the original version (as it was originally enacted).*

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- (c) the examinations that a person may be required to undertake in pursuance of a qualification prescribed by rules made under paragraph (b) above;
- (d) the training that a person must undertake before that person may be granted a commission; and
- (e) any other matters in relation to applications as it considers appropriate.