

*These notes relate to the Judiciary and Courts (Scotland) Act 2008 (asp 6) which received Royal Assent on 29 October 2008*

# **JUDICIARY AND COURTS (SCOTLAND) ACT 2008**

---

## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 2 – the Judiciary**

#### *Chapter 3 - Judicial Appointments*

#### *Section 13 - Assessment of legal knowledge, skills and competence*

43. Subsection (1) provides that only the legal and judicial members of the Board may assess the legal competence of a candidate. Nevertheless, under subsection (2) the decision about whether to recommend an individual for appointment remains a matter for the Board as a whole.