



# Judiciary and Courts (Scotland) Act 2008

2008 asp 6

## PART 2

### THE JUDICIARY

#### CHAPTER 3

##### JUDICIAL APPOINTMENTS

###### *Judicial Appointments Board for Scotland*

#### **11 Recommendations of the Board**

- (1) The relevant Minister may—
  - (a) appoint an individual to a judicial office within the Board's remit, or
  - (b) nominate or recommend an individual for appointment to such an office, only if the Board has recommended the individual for appointment to the office.
- (2) Subsection (3) applies where—
  - (a) the Board has recommended an individual for appointment, and
  - (b) the relevant Minister has decided not to accept the recommendation.
- (3) The relevant Minister must give the Board notice of the decision.
- (4) The notice must include the reasons for the decision.
- (5) On receipt of the notice, the Board must—
  - (a) reconsider its recommendation, and
  - (b) make a further recommendation (whether of the same or a different individual).
- (6) In this section references to the relevant Minister are—
  - (a) where the First Minister has the function of making appointments to the judicial office concerned, or nominating or recommending individuals for appointment to the office, references to the First Minister,

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*Status: This is the original version (as it was originally enacted).*

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- (b) where the Scottish Ministers have that function, references to the Scottish Ministers.