

**2009 No. 192 (C. 15)**

**COURT OF SESSION**

**HIGH COURT OF JUSTICIARY**

**JUDICIAL APPOINTMENTS AND DISCIPLINE**

**JUDICIAL INDEPENDENCE**

**SCOTTISH COURT SERVICE**

**SHERIFF COURT**

**The Judiciary and Courts (Scotland) Act 2008 (Commencement  
No. 2) Order 2009**

*Made* - - - -

*18th May 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 76(1) of the Judiciary and Courts (Scotland) Act 2008(a).

**Citation and interpretation**

1.—(1) This Order may be cited as the Judiciary and Courts (Scotland) Act 2008 (Commencement No. 2) Order 2009.

(2) References to “the Act” mean the Judiciary and Courts (Scotland) Act 2008.

**Appointed days**

2. The day appointed for the coming into force of the provisions of the Act specified in column (1) of the Schedule (the subject matter of each provision being mentioned in column (2)) is 1st June 2009.

*FERGUS EWING*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
18th May 2009

## SCHEDULE

Article 2

### PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST JUNE 2009

<i>Column (1)</i> <i>Provisions of the Act</i>	<i>Column (2)</i> <i>Subject matter</i>
Section 1	Guarantee of continued judicial independence
Subsections (1), (5) and (6) of section 2 for the purposes of subsections (2)(b) and (c)	Head of the Scottish Judiciary
Subsections (2)(b) and (c) of section 2	
Sections 4 to 8	Senior judiciary: vacancy, incapacity and suspension
Sections 9 to 18	Judicial appointments
Sections 19 and 20	Lord President and Lord Justice Clerk
Sections 21 to 23	Other Court of Session judges
Sections 24 to 26	Sheriffs principal, sheriffs and part-time sheriffs
Sections 44 to 46	The Court of Session
Section 60(2) in so far as it relates to the provisions of Schedule 3 to the Act mentioned below	The Scottish Court Service
Section 73 in so far as it relates to the provisions of Schedule 5 to the Act mentioned below	Consequential repeal
Schedule 1	The Judicial Appointments Board for Scotland
Schedule 2	Panels established under section 19(2)
Schedule 3, paragraphs 2, 3(1), 4, 5, 7 and 8	The Scottish Court Service
Schedule 5, paragraph 4	Consequential repeal

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force certain provisions of the Judiciary and Courts (Scotland) Act 2008 on 1st June 2009.

## **NOTE AS TO EARLIER COMMENCEMENT ORDER**

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by the Judiciary and Courts (Scotland) Act 2008 (Commencement No. 1) Order 2009 (S.S.I. 2009/83(C.6 )):-

<i>Provision</i>	<i>Date of Commencement</i>
Section 59	16th March 2009
Section 60(2) in so far as it relates to the commencement of those subparagraphs below	16th March 2009
Subparagraphs (2), (3) and (4) of paragraph 3 of Schedule 3	16th March 2009