

SCHEDULE
MINOR AND CONSEQUENTIAL AMENDMENTS

Sheriff Courts (Scotland) Act 1971 (c. 58)

- 1 (1) In section 5 (qualification for offices of sheriff principal and sheriff) of the Sheriff Courts (Scotland) Act 1971, in subsection (2)—
- (a) for “section 11(3)” there is substituted “sections 11(3) and 11A”; and
 - (b) for “temporary” where it second occurs there is substituted “part-time”.
- (2) In section 5A (retiring age for sheriff principal and sheriff) of that Act, after subsection (2) there is inserted—
- “(3) Without prejudice to sections 11(4A) and (4B) and 11B(3) of this Act, in this section, “sheriff principal” does not include a temporary sheriff principal and “sheriff” does not include a part-time sheriff.”.
- (3) In section 6 (disqualification of sheriffs principal and sheriffs) of that Act, in subsection (5), for “temporary” where it second occurs there is substituted “part-time”.
- (4) Section 7 (jurisdiction of sheriff) of that Act is renumbered as subsection (1) of that section and after that subsection there is inserted—
- “(2) Without prejudice to section 11A(4) of this Act, in this section, “sheriff” does not include a part-time sheriff.”.
- (5) Section 9 (power of Scottish Ministers to give administrative directions) of that Act is renumbered as subsection (1) of that section and after that subsection there is inserted—
- “(2) In this section, “sheriff” does not include a part-time sheriff.”.
- (6) In section 10 (Scottish Ministers may authorise sheriff principal or direct sheriff to act in another sheriffdom) of that Act, in subsection (5), after “honorary” there is inserted “or a part-time”.
- (7) In section 11 (appointment of temporary sheriffs principal and sheriffs) of that Act—
- (a) in subsection (3)—
 - (i) the words “or a temporary sheriff”;
 - (ii) in paragraph (a), the words “in the case of an appointment as a temporary sheriff principal”; and
 - (iii) paragraph (b);
 - (b) in subsection (4), the words “or of a temporary sheriff”;
 - (c) in subsection (4A), the words “or temporary sheriff”;
 - (d) in subsection (5), the words “or a temporary sheriff”;
 - (e) in subsection (6)—
 - (i) the words “, or a temporary sheriff for,”; and
 - (ii) the words “or, as the case may be, sheriff”;
 - (f) in subsection (8), the words “or a temporary sheriff”,
- are repealed.

Status: This is the original version (as it was originally enacted).

- (8) In section 12 (removal from office, and suspension, of sheriff principal or sheriff) of that Act, in subsection (7), for “temporary” where it second occurs there is substituted “part-time”.
- (9) In section 14 (functions of Scottish Ministers with respect to number, residence and place of duties of sheriffs) of that Act, in subsection (5), for the words from “sheriff” where it second occurs to “sheriff” where it third occurs there is substituted “or a part-time”.
- (10) In section 15 (general functions of sheriff principal) of that Act, in subsection (2), after “sheriffdom,” where it second occurs there is inserted “any part-time sheriff”.
- (11) In section 16 (functions of sheriff principal with respect to duties and leave of absence of sheriffs) of that Act—
 - (a) in subsection (1)—
 - (i) in paragraph (a), the word “and” where it first occurs is repealed and, after “sheriffdom”, there is inserted “, and any part-time sheriffs”;
 - (ii) in paragraph (b), after “sheriffdom” where it third occurs there is inserted “or by any part-time sheriffs”; and
 - (iii) after “sheriff” where it last occurs there is inserted “or part-time sheriff”;
 - (b) in subsection (3), after “include” there is inserted “a part-time or”.
- (12) In section 45 (interpretation) of that Act, in subsection (1)(b), for “temporary” in both places where it occurs there is substituted “part-time”.