



Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

PART 4

JP COURTS AND JPS

Establishing JP courts etc.

66 Transitional arrangements for proceedings

- (1) Where a district court is disestablished by virtue of section 64(1)—
 - (a) any proceedings which were instituted in the district court, but which have not been completed when it is disestablished, continue in the appointed JP court as if instituted there,
 - (b) the cases involved are to be heard and disposed of as if the appointed JP court always had jurisdiction for the proceedings, and
 - (c) any relevant—
 - (i) verdict, sentence, order or other determination, and
 - (ii) complaint, notice, citation, warrant or other document,has effect accordingly.
- (2) For the purposes of subsection (1), the clerk of the district court must transfer to the clerk of the appointed JP court such records, productions and other documents relating to the proceedings as are in the district court clerk's possession.
- (3) Further, the clerk of the district court must transfer to the clerk of the appointed JP court such records, productions and other documents relating to recent proceedings as are in the district court clerk's possession.
- (4) For the purposes of subsection (3), proceedings are recent if they were completed not more than 5 years before the date on which the relevant district court is disestablished.
- (5) The sheriff principal for the sheriffdom in which a district court is located may determine which is the appointed JP court for the purposes of the application of this section in relation to that district court.

Status: This is the original version (as it was originally enacted).

- (6) Before making a determination under subsection (5) which would have the effect of transferring proceedings to another sheriffdom, the sheriff principal must consult the sheriff principal for that other sheriffdom.