

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 3 – the Courts

Sheriff Courts

Section 51 - Sheriff court districts and places where sheriff courts are to be held

102. Section 3 of the 1971 Act provides that it is for the Scottish Ministers to decide the arrangement of sheriff court districts and where sheriff courts should be held. These powers are exercisable by order. Section 51 amends section 3 to provide that the exercise of this power is to be subject to the consent of the Lord President and the SCS . As with the amendments in section 50 subsection (2) provides that before consenting to such an order the SCS must consult such persons as it considers appropriate. Subsection (46) provides that such an order shall be subject to the negative resolution procedure of the Scottish Parliament.