

*These notes relate to the Public Services Reform (Scotland) Act 2010 (asp 8) which received Royal Assent on 28 April 2010*

# **PUBLIC SERVICES REFORM (SCOTLAND) ACT 2010**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 1 – Simplification of Public Bodies**

##### **Regulation of officers of court**

##### *Section 13 – Regulation of officers of court*

24. This section gives effect to schedule 4 which contains detailed amendments, principally to Part 3 of the Bankruptcy and Diligence etc. (Scotland) Act 2007 (which is not yet in force) and Part V of the Debtors (Scotland) Act 1987.
25. Part 3 of the 2007 Act creates and defines the remit of the Scottish Civil Enforcement Commission (“the Commission”) to supervise the officers responsible to the courts for the enforcement of debts or diligence. The amendments in schedule 4 prevent the Commission from being brought into existence under the 2007 Act.
26. These amendments also retain, repeal and amend some of the regulatory controls introduced by Part 3 of the 2007 Act. In particular, Part 3 of the 2007 Act replaces officers of court (messengers-at-arms and sheriff officers) with judicial officers. These amendments revert all references to “judicial officer” in Part 3 of the 2007 Act so as to maintain the offices of messengers-at-arms and sheriff officers, usually with references to “officers of court”.