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**Changes to legislation:** Courts Reform (Scotland) Act 2014, Paragraph 9 is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULE 5 MODIFICATIONS OF ENACTMENTS

### PART 1

#### SHERIFF COURTS

##### *Judiciary and Courts (Scotland) Act 2008*

- 9 (1) The Judiciary and Courts (Scotland) Act 2008 is amended in accordance with this paragraph.
- (2) The following provisions are repealed—
- (a) sections 24 to 26 (amendments of Sheriff Courts (Scotland) Act 1971 relating to sheriffs principal, sheriffs and part-time sheriffs),
  - (b) section 40 (amendments of the 1971 Act relating to consideration of fitness for, and removal from, shrieval office),
  - (c) sections 47 to 56 (miscellaneous amendments of the 1971 Act relating to the sheriff courts),
  - (d) section 64(1) and (2) (amendments of the 1971 Act relating to remuneration and allowances of certain judicial office holders),
  - (e) in section 72 (interpretation), the definition of “the 1971 Act”,
  - (f) in schedule 5, paragraph 2 (consequential amendments of the 1971 Act).
- (3) In subsection (1) of section 10 (judicial offices within the remit of the Judicial Appointments Board for Scotland), after paragraph (f) insert—
- “(fza) the office of summary sheriff,
  - (fzb) the office of part-time summary sheriff”.
- (4) In section 43 (meaning of “judicial office holder”)—
- (a) in subsection (1), for paragraph (c) substitute—
    - “(c) a person acting as a sheriff or as a summary sheriff by virtue of section 12(1) or 13(5) of the Courts Reform (Scotland) Act 2014.”,
  - (b) in subsection (2), after paragraph (g) insert—
    - “(ga) the office of summary sheriff,
    - (gb) the office of part-time summary sheriff”.
- (5) In section 62(1)(c) (administrative support to be provided by the Scottish Courts and Tribunals Service), for “section 15 to 17 of the 1971 Act” substitute “ sections 27 and 28 of the Courts Reform (Scotland) Act 2014 ”.
- (6) In section 72 (interpretation)—
- (a) in the definition of “office of part-time sheriff” for “11A, or a reappointment under section 11B(5) or (7), of the 1971 Act” substitute “ 8(1), or a reappointment under section 9(1) or (3), of the Courts Reform (Scotland) Act 2014 ”,
  - (b) after the definition of “office of part-time sheriff” insert—
    - ““office of part-time summary sheriff” means an appointment under section 10(1), or a reappointment under section 11(1) or (3), of the

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Courts Reform (Scotland) Act 2014, and references to suspension from that office are to be construed accordingly,”

- (c) in the definition of “office of temporary sheriff principal” for “11(1) or (1A) of the 1971 Act” substitute “ 6(2) of the Courts Reform (Scotland) Act 2014 ”.

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**Commencement Information**

**II** Sch. 5 para. 9 in force at 1.4.2015 by S.S.I. 2015/77, art. 2(2)(3), **Sch.**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 1 para. 5A and cross-heading inserted by [2020 asp 9 s. 9](#)
- sch. 1 para. 2(g)(h) inserted by [2021 asp 16 s. 15\(8\)](#)