
Changes to legislation: Courts Reform (Scotland) Act 2014, Cross Heading: Judiciary and Courts (Scotland) Act 2008 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

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- (2) The following provisions are repealed—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 ”.

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\(8\)](#)