

SCHEDULE 2

Establishment of the Sheriff Appeal Court

PART 1

Modification of primary legislation

Road Traffic Offenders Act 1988

2.—(1) Section 41 of the Road Traffic Offenders Act 1988⁽¹⁾ (power of High Court of Justiciary to suspend disqualification) is amended as follows.

(2) In subsection (2)—

(a) the words “to the High Court of Justiciary” are repealed; and

(b) after “the court” where it first occurs insert “hearing the appeal”.

(3) After subsection (2) insert—

“(2A) Where the court hearing the appeal is the Sheriff Appeal Court, the reference in subsection (2) to a single judge of the court is a reference to an Appeal Sheriff.”

(4) In subsection (3), for “High Court” substitute “court hearing the appeal”.

(5) The title of that section becomes “Power of appellate courts in Scotland to suspend disqualification.”.

⁽¹⁾ 1988 c.53.