

*Status: Point in time view as at 20/02/2010.*

*Changes to legislation: Sheriff Courts (Scotland) Act 1971 is up to date with all changes known to be in force on or before 22 May 2024. 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)*

## SCHEDULES

### SCHEDULE 1

Section 46(1).

#### MINOR AND CONSEQUENTIAL AMENDMENT OF ENACTMENTS

##### *General*

- 1 In any enactment passed or made before the commencement of this Act, for any reference to a county, where it appears in relation to a sheriff or a sheriff substitute or in any similar context, there shall, unless the contrary intention appears, be substituted a reference to a sheriffdom.

##### *The <sup>M1</sup>Execution of Diligence (Scotland) Act 1926*

###### **Marginal Citations**

**M1** 1926 c. 16.

- <sup>x1</sup>2 (1) In paragraph (a) of subsection (1) of section 2 (execution of arrestment or charge by registered letter), for the words “of the small debt court” there shall be substituted the words “of the sheriff in a summary cause”.
- (2) In paragraph (b) of the said subsection (1), for the words “in the small debt court” there shall be substituted the words “by the sheriff in a summary cause”.
- (3) In section 5 (interpretation), the words ““small debt court” shall mean the sheriff’s small debt court” shall cease to have effect.

###### **Editorial Information**

**X1** The text of ss. 31, 46, Sch. 1 paras. 2, 3 and Sch. 2 is in the form in which it was originally enacted; it was not reproduced in Statutes in Force and does not reflect any repeals or amendments which may have been made prior to 1.2.1991

##### *The <sup>M2</sup>Tenancy of Shops (Scotland) Act 1949*

###### **Marginal Citations**

**M2** 1949 c. 25.

- <sup>x2</sup>3 For subsection (7) of section 1 (renewal of tenancies of shops), there shall be substituted the following subsection:—
- “(7) An application under this section shall be made by way of a summary cause within the meaning of the Sheriff Courts (Scotland) Act 1971 .”

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#### Editorial Information

- X2** The text of ss. 31, 46, Sch. 1 paras. 2, 3 and Sch. 2 is in the form in which it was originally enacted; it was not reproduced in Statutes in Force and does not reflect any repeals or amendments which may have been made prior to 1.2.1991

<sup>F1</sup>4 .....

#### Textual Amendments

- F1** Sch. 1 para. 4 repealed by [Rent \(Scotland\) Act 1984 \(c. 58, SIF 75:4\)](#), s. 117(3), [Sch. 10](#)

## X<sup>3</sup>SCHEDULE 2

Section 46(2).

### REPEAL OF ENACTMENTS

#### Editorial Information

- X3** The text of ss. 31, 46, Sch. 1 paras. 2, 3 and Sch. 2 is in the form in which it was originally enacted; it was not reproduced in Statutes in Force and does not reflect any repeals or amendments which may have been made prior to 1.2.1991

## PART I

### GENERAL REPEALS

Session and Chapter	Short Title	Extent of Repeal
3 Geo. 4. c. 49.	The Sheriffs of Edinburgh and Lanark Act 1822.	The whole Act.
23 & 24 Vict. c. 79.	The Sheriff Court Houses Act 1860.	The whole Act.
29 & 30 Vict. c. 53.	The Sheriff Court Houses (Scotland) Act 1866.	The whole Act.
47 & 48 Vict. c. 42.	The Sheriff Court Houses (Scotland) Amendment Act 1884.	The whole Act.
52 & 53 Vict. c. 50.	The Local Government (Scotland) Act 1889.	Section 37(2).
7 Edw. 7. c. 51.	The Sheriff Courts (Scotland) Act 1907.	Sections 12 and 13.  Sections 15 and 16.  Sections 18 and 19.

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		Section 21.
		Sections 25 and 26.
17 & 18 Geo. 5. c. 35.	The Sheriff Courts and Legal Officers (Scotland) Act 1927.	Section 14.
23 & 24 Geo. 5. c. 41.	The Administration of Justice (Scotland) Act 1933.	In section 31, subsections (2) to (5). Section 32. Sections 34 and 35.
2 & 3 Geo. 6. c. 98.	The Sheriff Courts (Scotland) Act 1939.	The whole Act.
12, 13 & 14 Geo. 6. c. 10.	The Administration of Justice (Scotland) Act 1948.	Section 4.

## PART II

### REPEALS CONSEQUENT ON SECTIONS 35 TO 38 OF THIS ACT

Session and Chapter	Short Title	Extent of Repeal
7 Will. 4. & 1 Vict. c. 41.	The Small Debt (Scotland) Act 1837.	The whole Act.
52 & 53 Vict. c. 26.	The Small Debt Amendment (Scotland) Act 1889.	The whole Act.
7 Edw. 7. c. 51.	The Sheriff Courts (Scotland) Act 1907.	In section 3, paragraph (i).  In section 7, the words “and of the Small Debt Acts”. Section 8. In section 28, in subsection (1), the proviso. Sections 42 to 48. In Schedule 1, Rule 40.
14 & 15 Geo. 5. c. 16.	The Small Debt (Scotland) Act 1924.	In section 1, the words “the sheriff and”, the word “respectively”, the words “section eighteen of the Small Debt (Scotland) Act 1837 and”, the words “the sheriff or”, in both places where they occur, and the words “he or”.
16 & 17 Geo. 5. c. 16.	The Execution of Diligence (Scotland) Act 1926.	In section 5, the words “small debt court” shall

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		mean the sheriff’s small debt court”.
22 & 23 Geo. 5. c. 38.	The Hire Purchase and Small Debt (Scotland) Act 1932.	The whole Act.
3 & 4 Geo. 6. c. 42.	The Law Reform (Miscellaneous Provisions) (Scotland) Act 1940.	Section 1(4).
1963 c. 22.	The Sheriff Courts (Civil Jurisdiction and Procedure) (Scotland) Act 1963.	Sections 1 and 2.
1965 c. 67.	The Hire-Purchase (Scotland) Act 1965.	In section 48, subsections (2) and (3).

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