



# Law Reform (Miscellaneous Provisions) (Scotland) Act 1980

## CHAPTER 55

### LAW REFORM (MISCELLANEOUS PROVISIONS) (SCOTLAND) ACT 1980

#### *Juries*

- 1 Qualification of jurors.
- 1A Excusal of jurors as of right
- 2 Fining of jurors for non-attendance.
- 3 Offences in connection with jury service.

#### *Trusts, factors and succession*

- 4 Prior rights in estate of deceased person.
- 5 Finding of caution by intestate's spouse.
- 6 Procedure whereby heir of provision may establish entitlement to act as trustee.
- 7 Amendment of Judicial Factors Act 1849.
- 8 Amendment of section 2 of Trusts (Scotland) Act 1961.
- 9 Removal of obligation to preserve inventories.

#### *Sheriff Court*

- 10 Performance of duties of sheriff principal.
- 11 No jury trial in civil actions in sheriff court.
- 12 .....
- 13 Jurisdiction of sheriff court in proceedings relating to trusts.
- 14 Power of sheriff to appoint judicial factor.
- 15 Jurisdiction of sheriff court in suspension of charges.
- 16 Remit from sheriff court to Court of Session.

*Changes to legislation:* There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980. (See end of Document for details)

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### *Miscellaneous*

- 17 Power of judges to act as arbiters.
- 18 Interest on awards of compensation by Lands Tribunal for Scotland.
- 19 Vexatious litigants.
- 20 Jurisdiction in actions for reduction.
- 21 Liability for offences committed by clubs.
- 22 Amendment of Marriage (Scotland) Act 1977.
- 23 Amendment of Prescription and Limitation (Scotland) Act 1973.
- 24 Solicitors' Discipline Tribunal.
- 25 Solicitors' clients' accounts.
- 26 .....

### *General*

- 27 Expenses.
- 28 Amendments and repeals.
- 29 Short title, extent and commencement.

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## SCHEDULES

### SCHEDULE 1 — Ineligibility for and Disqualification and Excusal from Jury Service

#### Part I — PERSONS INELIGIBLE

#### GROUP A

##### *The Judiciary*

- (a) Justices of the Supreme Court or the President or...

#### GROUP B

##### *Others concerned with the administration of justice*

- (a) Advocates and solicitors, whether or not in actual practice...

#### GROUP C

##### *The mentally disordered*

(Expressions used in this Group are to be construed in...

#### Part II — PERSONS DISQUALIFIED

- (a) Persons who have at any time been sentenced in...

#### Part III — PERSONS EXCUSABLE AS OF RIGHT

#### GROUP A

##### *Parliament*

- (a) Peers and peeresses entitled to receive writs of summons...

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**GROUP AB**

*Scottish Parliament and Scottish Executive*

(a) members of the Scottish Parliament; (b) members of the...

**GROUP B**

*European Parliament*

**GROUP BA**

*National Assembly for Wales*

**GROUP BB**

**PUBLIC OFFICIALS**

The Auditor General for Scotland.

**GROUP C**

*The Forces*

Members of the regular forces within the meaning of the...

**GROUP D**

*Medical and similar professions*

The following, if actually practising their profession and registered (whether...

**GROUP DD**

*Members of certain religious bodies*

**GROUP E**

*Ministers of religion etc.*

(a) persons in holy orders; (b) regular ministers of any...

**GROUP F**

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### Others

(a) persons who have served as a juror in the...

#### SCHEDULE 2 — Minor and Consequential Amendments

##### *The Juries (Scotland) Act 1826 (c. 8)*

1 In section 4 (names of jurors may be passed over,...

##### *The Executors (Scotland) Act 1900 (c. 55)*

2 In section 3 (persons who may be confirmed executors nominate),...

##### *The Juries Act 1949 (c. 27)*

3 For section 24(1) (payments in respect of jury service) there...

4 In section 25(2) (sums for payments to jurors), for the...

##### *The Betting, Gaming and Lotteries Act 1963 (c. 2)*

5 In paragraph 2 (interpretation), of Schedule 1, in the definition...

##### *The Criminal Procedure (Scotland) Act 1975 (c. 21)*

6 In section 91 (names of jurors may be passed over,...

7 In section 130(5) (objection to juror on grounds of lack...

##### *The Lotteries and Amusements Act 1976 (c. 32)*

8 In paragraph 1 (interpretation), of Schedule 3—

##### *The Licensing (Scotland) Act 1976 (c. 66)*

9 In section 94(2) (forfeiture of licence in certain cases, for...

10 In section 107(1)(a) (election of governing body of club), for...

11 In section 140(2) (transitional provisions), after the words “57” there...

#### SCHEDULE 3 — . . .

**Changes to legislation:**

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