

*Status: Point in time view as at 28/11/2016.*

*Changes to legislation: Courts Reform (Scotland) Act 2014, PART 9 is up to date with all changes known to be in force on or before 28 June 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)*

## SCHEDULE 5 MODIFICATIONS OF ENACTMENTS

### PART 9

#### JUDGES OF THE COURT OF SESSION

##### *Promissory Oaths Act 1868*

- 34 In the Promissory Oaths Act 1868, in the Second Part of the Schedule, for “35(3) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990” substitute “20B(1) of the Judiciary and Courts (Scotland) Act 2008”.

##### **Commencement Information**

- I1** Sch. 5 para. 34 in force at 1.4.2015 by S.S.I. 2015/77, art. 2(2)(3), Sch.

##### *Administration of Justice Act 1973*

- 35 In section 9 of the Administration of Justice Act 1973 (judicial salaries), subsection (5) is repealed.

##### **Commencement Information**

- I2** Sch. 5 para. 35 in force at 1.4.2016 by S.S.I. 2016/13, art. 2, Sch.

##### *Law Reform (Miscellaneous Provisions) (Scotland) Act 1985*

- 36 Section 22 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (re-employment of retired judges) is repealed.

##### **Commencement Information**

- I3** Sch. 5 para. 36 in force at 1.4.2015 by S.S.I. 2015/77, art. 2(2)(3), Sch.

##### *Law Reform (Miscellaneous Provisions) (Scotland) Act 1990*

- 37 (1) The Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 is amended in accordance with this paragraph.
- (2) In section 35 (judicial appointments)—
- (a) subsections (1) and (3) are repealed,
  - (b) in subsection (2), for “the said Schedule” substitute “Schedule 4”.
- (3) In Schedule 4 (judicial appointments), paragraphs 1 to 3 and 5 to 11 are repealed.

##### **Commencement Information**

- I4** Sch. 5 para. 37 in force at 1.4.2015 by S.S.I. 2015/77, art. 2(2)(3), Sch.

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*Judiciary and Courts (Scotland) Act 2008*

- 38 (1) The Judiciary and Courts (Scotland) Act 2008 is amended in accordance with this paragraph.
- (2) In section 43(1)(b) (meaning of “judicial office holder”), for “22(1) or (4) (re-employment of retired Court of Session judges) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73)” substitute “ 20E(1) (re-employment of former judges) or 20F(3) (re-employment of former judges: further provision) ”.
- (3) In section 64 (amendments of enactments relating to remuneration and allowances of re-employed retired judges and temporary judges), subsections (3) and (4) are repealed.
- (4) In section 72 (interpretation), in the definition of “office of temporary judge”, for “35(3) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c.40)” substitute “ 20B(1) (temporary judges) ”.

**Commencement Information**

**I5** Sch. 5 para. 38 in force at 1.4.2015 by S.S.I. 2015/77, art. 2(2)(3), Sch.

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