

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for an all-Scotland sheriff court to be known as the Sheriff Personal Injury Court. Article 2 specifies Lothian and Borders as the relevant sheriffdom and Edinburgh as the relevant sheriff court. The Sheriff Personal Injury Court has jurisdiction extending territorially throughout Scotland for the purposes of dealing with the types of civil proceedings specified in article 3, namely personal injury actions for payment of a sum of money exceeding £5,000 (article 4) or below £5,000 in certain circumstances. Those circumstances are where the proceedings concern an accident at work or otherwise concern personal injuries sustained in the course of work and are for payment of a sum of money exceeding £1,000, or where a sheriff has certified that the importance or difficulty of the proceedings makes it appropriate to transfer the proceedings to the Sheriff Personal Injury Court (article 5). Proceedings so certified will cease to be subject to summary cause procedure, or simple procedure, as the case may be.

Sections 35 and 37 of the Sheriff Courts (Scotland) Act 1971 as referred to in article 4 are to be repealed by paragraph 6(2) of schedule 5 to the Courts Reform (Scotland) Act 2014.

A Business and Regulatory Impact Assessment has been prepared for this Order and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government Justice Directorate, St Andrews House, Edinburgh EH1 3DG.