
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 291

The Courts Reform (Scotland) Act 2014 (Commencement No. 7, Transitional and Saving Provisions) Order 2016

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Courts Reform (Scotland) Act 2014 (Commencement No. 7, Transitional and Saving Provisions) Order 2016 and comes into force on 28th November 2016.

(2) In this Order—

“the 1898 Act” means the Vexatious Actions (Scotland) Act 1898(1);

“the 1971 Act” means the Sheriff Courts (Scotland) Act 1971(2);

“the 2014 Act” means the Courts Reform (Scotland) Act 2014;

“relevant claim” means—

(a) a claim raised on or after 28th November 2016 that would be a small claim but for the repeal of sections 35(2) to (4)(3), 36A, 36B(4) and 37(2B) and (2C)(5) and the words “other than a small claim” in section 38(b)(6) of the 1971 Act; or

(b) a claim which would be such a claim were the figures of £3000 within each of article 2(a) and (b) of the Small Claims (Scotland) Order 1988(7) figures of £5000; and

“small claim” has the meaning it has in section 35(2) of the 1971 Act.

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- (1) [1898 c.35](#); as amended by the Administration of Justice (Scotland) Act [1933 \(c.41\)](#), section 3(1) and the Law Reform (Miscellaneous Provisions) (Scotland) Act [1980 \(c.55\)](#), section 19. The 1898 Act is repealed by paragraph 27 of schedule 5 of the 2014 Act.
- (2) [1971 c.58](#). The 1971 Act is to be repealed by paragraph 6(2) of schedule 5 of the 2014 Act and [S.I. 2015/700](#).
- (3) Section 35 has been amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act [1985 \(c.73\)](#), sections 18(1) and 59 and schedule 2, paragraph 14; the Bankruptcy and Diligence etc. (Scotland) Act [2007 \(asp 3\)](#), schedule 6, paragraph 1; and [S.S.I. 2007/507](#).
- (4) Sections 36A and 36B were inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, section 18(2).
- (5) Section 37 has been amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, section 16 and the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, section 18(3). The repeal of subsection (1)(b) was commenced on 22nd September 2015 by [S.S.I. 2015/247](#).
- (6) Section 38 has been amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, section 18(4).
- (7) [S.I. 1988/1999](#); as amended by [S.S.I. 2007/496](#).