



# Sheriff Courts (Scotland) Act 1971

## 1971 CHAPTER 58

### PART III

#### CIVIL JURISDICTION, PROCEDURE AND APPEALS

##### *Summary causes*

#### **38 Appeal in summary causes.**

In the case of <sup>F1</sup>—

- (a) any summary cause an appeal shall lie to the sheriff principal on any point of law from the final judgment of the sheriff; and
- (b) any summary cause other than a small claim an appeal shall lie] to the Court of Session on any point of law from the final judgment of the sheriff principal, if the sheriff principal certifies the cause as suitable for such an appeal,

but save as aforesaid an interlocutor of the sheriff or the sheriff principal in any such cause shall not be subject to review.

#### **Textual Amendments**

- F1** Words substituted by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 36:1\), s. 18\(4\)](#)

#### **Modifications etc. (not altering text)**

- C1** S. 38 excluded by [Debtors \(Scotland\) Act 1987 \(c. 18, SIF 45:2\), ss. 103\(1\), 108\(2\), Sch. 7 paras. 5, 9\(1\)](#)
- C2** S. 38 applied (with modifications) (1.1.2016) by [The Courts Reform \(Scotland\) Act 2014 \(Commencement No. 5, Transitional and Saving Provisions\) Order 2015 \(S.S.I. 2015/378\), arts. 1\(1\), 4](#)

**Status:**

Point in time view as at 01/01/2016. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1971, Section 38.