



# District Courts (Scotland) Act 1975

## 1975 CHAPTER 20

### PART III

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **24 Amendments and repeals**

- (1) The enactments mentioned in Schedule 1 to this Act shall have effect subject to the amendments respectively specified in that Schedule, being minor amendments or amendments consequential on the provisions of this Act.
- (2) The enactments specified in Schedule 2 to this Act (which includes certain obsolete or unnecessary enactments) are hereby repealed to the extent specified in the third column of that Schedule.
- (3) The Secretary of State may by order amend, repeal or revoke any provision of an Act passed or an instrument under an Act made before 16th May 1975 if it appears to him that that provision is inconsistent with any provision of this Act or requires modification in consequence of this Act.
- (4) Where any local enactment provides for any matter which is also provided for by any provision of this Act or of any order made thereunder, the provision of this Act, or, as the case may be, of that order, shall have effect in substitution for the local enactment, which shall cease to have effect.
- (5) Any order made under this section shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### **25 Expenses**

There shall be defrayed out of moneys provided by Parliament—

- (a) any expenses incurred by the Secretary of State under this Act; and

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*Status: This is the original version (as it was originally enacted).*

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- (b) any increase attributable to the provisions of this Act in the sums payable out of moneys so provided under any other enactment.

## **26 Interpretation**

- (1) In this Act, unless the context otherwise requires—
- " clerk of the district court " includes such depute clerk as may be required for the purposes of any district court;
  - " commission area " means a district or islands area within the meaning of the Local Government (Scotland) Act 1973 ;
  - " district prosecutor " includes such depute or assistant district prosecutor as may be required for the purposes of any district court;
  - " justice " or " justice of the peace " means a justice of the peace appointed under section 9 of this Act or deemed to have been so appointed ;
  - " licensing court " and " court of appeal " have the same meanings as in the Licensing (Scotland) Act 1959;
  - " local authority " means a district council or an islands council;
  - " prescribed " means prescribed by regulations made by the Secretary of State.
- (2) Any power conferred by this Act to make an order shall include power, exercisable in like manner and subject to the same conditions, to vary or revoke the order by a subsequent order.
- (3) Unless the context otherwise requires, any reference in this Act to any other enactment is a reference thereto as amended, extended or applied by or under any other enactment, including this Act.

## **27 Short title, extent and commencement**

- (1) This Act may be cited as the District Courts (Scotland) Act 1975, and, except section 24(1) and subsection (2) below and the entries in Schedule 1 to this Act relating to the Magistrates' Courts Act 1952 and to section 18(1) of the Police (Scotland) Act 1967, extends to Scotland only.
- (2) This Act, except sections 8, 10, 11, 14, 16, 17, 20, 23, 26 and this section, shall come into force on 16th May 1975.