

SCHEDULE

Article 5

Abolition of the office of stipendiary magistrate and introduction of the office of summary sheriff

Law Reform (Miscellaneous Provisions) (Scotland) Act 1980

1. In Group A of Part I of Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980(1) (persons ineligible for jury service: the judiciary), after paragraph (c) insert—

“(ca) summary sheriffs;”.

Prisons (Scotland) Act 1989

2.—(1) Section 15 of the Prisons (Scotland) Act 1989(2) (right of sheriff or justice to visit prison) is amended as follows.

(2) In sub-section (1), after “sheriff” insert “, summary sheriff”.

(3) In sub-section (2), after “sheriff” insert “, summary sheriff”.

Criminal Justice (Scotland) Act 2003

3. In section 42 of the Criminal Justice (Scotland) Act 2003(3) (drugs courts), for subsection (2) substitute—

“(2) It may be prescribed that there is to be a drugs court within a sheriffdom or sheriff court district, in which case the sheriff principal is, subject to subsection (1), to nominate a court within that sheriffdom or, as the case may be, sheriff court district to be a drugs court.”.

Criminal Justice and Licensing (Scotland) Act 2010

4. In paragraph 1(3)(c) of schedule 1 to the Criminal Justice and Licensing (Scotland) Act 2010(4) (the Scottish Sentencing Council: membership), for “justice of the peace or stipendiary magistrate” substitute “summary sheriff or justice of the peace”.

Police and Fire Reform (Scotland) Act 2012

5.—(1) The Police and Fire Reform (Scotland) Act 2012(5) is amended as follows.

(2) In section 10(1) (declaration of constable of the Police Service of Scotland)(6), after “sheriff” insert “, summary sheriff”.

(3) In section 16(3) (temporary service as constable of the Police Service of Scotland), after “sheriff” insert “, summary sheriff”.

(1) 1980 c.55. Group A was amended by paragraph 34 of Part 1 of Schedule 9 to the Constitutional Reform Act 2005 (c.4).

(2) 1989 c.45.

(3) 2003 asp 7. Section 42(2)(b) was amended by the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6), schedule 1, paragraph 30(a).

(4) 2010 asp 13.

(5) 2012 asp 8.

(6) Section 24(4) of the Railways and Transport Safety Act 2003 (c.20), as substituted by S.I. 2013/602, applies section 10 of the Police and Fire Reform (Scotland) Act 2012 to constables of the British Transport Police appointed in Scotland.