
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Courts Reform (Scotland) Act 2014 (“the Act”). The provisions specified in column 1 of the table in the schedule to the Order come into force on 22nd September 2015. The subject matter of these provisions is set out in column 2 of the table, and where provisions are brought into force only for a limited purpose, this purpose is given in column 3.

Articles 3 to 13 contain transitional and saving provisions.

Article 3 provides for the transition from a sheriff’s privative jurisdiction of £5,000 under section 7 of the Sheriff Courts (Scotland) Act 1907 (“the 1907 Act”) to the exclusive competence of £100,000 under section 39 of the Act.

Article 4 provides that where the date on which the grounds giving rise to an application for judicial review arose before 22nd September 2015, they are regarded as having arisen on 22nd September so that the applicant has 3 months to make an application from that date.

Article 5 saves the existing appeal provisions in sections 24 and 40 of the Court of Session Act 1988 (“the 1988 Act”) for any appeal against judgments of the Inner House of the Court of Session that were pronounced before 22nd September 2015.

Articles 6 and 7 provide for the transition from summary criminal appeals and bail appeals (including in solemn proceedings) from sheriffs or JP courts being directed to the Sheriff Appeal Court in place of the High Court of Justiciary.

Article 8 provides for appeal routes from an all-Scotland sheriff court pending the Sheriff Appeal Court having its civil competence and jurisdiction. The All-Scotland Sheriff Court (Sheriff Personal Injury Court) Order 2015 ([S.S.I. 2015/213](#)) establishes an all-Scotland sheriff court known as the Sheriff Personal Injury Court.

Articles 9 to 12 modify references to simple procedure to reflect that summary cause procedure will continue to be in place for the time being.

The Act received Royal Assent on 10th November 2014. Sections 133, 134(1) and (3) and 135 to 139 came into force the following day.