
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in consequence of and supplementary to certain provisions of the Courts Reform (Scotland) Act 2014 (“the Act”). This Order amends the Mental Health (Care and Treatment) (Scotland) Act 2003, the Tribunals (Scotland) Act 2014, the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 and the Act.

Articles 2 to 4 transfer responsibility for payment of remuneration etc. to members of the Mental Health Tribunal for Scotland, payment of allowances to Justices of the Peace and payments to members of the Scottish Tribunals from Scottish Ministers to the Scottish Courts and Tribunals Service (SCTS). This is in consequence of the conferral of administrative support functions to the SCTS by section 130 of the Act.

Article 5 amends section 16(7) of the Act to add temporary sheriff principals to the list of judicial officers for which Scottish Ministers may determine different amounts of remuneration for. This is to take account of the possibility that a qualifying former sheriff principal might be appointed as a part-time sheriff principal and would need to be paid a daily fee.