



Sheriff Courts (Scotland) Act 1971

1971 CHAPTER 58

PART I

CONSTITUTION, ORGANISATION AND ADMINISTRATION

Sheriff court districts and places where sheriff courts are to be held

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(1) Subject to any alterations made by an order under section 2(1) of this Act or under subsection (2) below—

- (a) the sheriff court districts existing immediately before the commencement of this Act shall continue to exist after such commencement, and
- (b) sheriff courts shall, after such commencement, continue to be held at the places at which they were in use to be held immediately before such commencement.

(2) The Secretary of State may by order—

- (a) alter the boundaries of sheriff court districts, form new districts, or provide for the abolition of districts existing at the time of the making of the order;
- (b) provide that sheriff courts shall be held, or shall cease to be held, at any place.

[^{F1}(2A) An order under subsection (2) above may be made only with the consent of—

- (a) the Lord President of the Court of Session, and
- (b) the Scottish Court Service.

(2B) Before consenting to the making of such an order, the Scottish Court Service must consult such persons as it considers appropriate.]

(3) An order under subsection (2) above may contain all such provisions as appear to the Secretary of State to be necessary or expedient for rendering the order of full effect and any incidental, supplemental or consequential provisions which appear to him to be necessary or expedient for the purposes of the order, including, but without prejudice to the generality of the foregoing words, provisions amending, repealing or revoking

Status: Point in time view as at 01/04/2010.

*Changes to legislation: There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1971,
 Cross Heading: Sheriff court districts and places where sheriff courts are to be held. (See end of Document for details)*

any enactment (whether passed or made before or after the commencement of this Act, and including any enactment contained in or made under this Act).

- (4) The [^{F2}Scottish Court Service] may, with the concurrence of the Minister for the Civil Service, pay to or in respect of any person who suffers loss of employment, or loss or diminution of emoluments, which is attributable to an order under subsection (2) above such amount by way of compensation as may appear to the Secretary of State to be reasonable in all the circumstances [^{F3}but no payment shall be made under this provision to or in respect of any person who is mentioned in section 51(2) of the Scotland Act 1998].
- (5) The power to make orders under subsection (2) above shall be exercisable by statutory instrument.
- [^{F4}(5A) A statutory instrument containing an order under subsection (2) above is subject to annulment in pursuance of a resolution of the Scottish Parliament.]
- (6) Without prejudice to subsection (1) above, any enactment or other instrument in force immediately before the commencement of this Act shall, to the extent that it fixes sheriff court districts or the places at which sheriff courts are to be held, cease to have effect.

Textual Amendments

- F1** S. 3(2A)(2B) inserted (1.4.2010) by Judiciary and Courts (Scotland) Act 2008 (asp 6), **ss. 51(2)**, 76; S.S.I. 2010/39, **art. 2(b)**, Sch.
- F2** Words in s. 3(4) substituted (1.4.2010) by Judiciary and Courts (Scotland) Act 2008 (asp 6), **ss. 51(3)**, 76; S.S.I. 2010/39, **art. 2(b)**, Sch.
- F3** Words in s. 3(4) inserted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. 1 para. 50(2)**
- F4** S. 3(5A) inserted (1.4.2010) by Judiciary and Courts (Scotland) Act 2008 (asp 6), **ss. 51(4)**, 76; S.S.I. 2010/39, **art. 2(b)**, Sch.

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