



Sheriff Courts (Scotland) Act 1971

1971 CHAPTER 58

PART III

CIVIL JURISDICTION, PROCEDURE AND APPEALS

Miscellaneous and supplemental

F139

Textual Amendments

F1 S. 39 repealed by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1980 \(c. 55, SIF 72:2\)](#), s. 28(2), [Sch. 3](#)

F240

Textual Amendments

F2 S. 40 repealed by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1980 \(c. 55, SIF 36:3, 72:2\)](#), ss. 11(2), 28(2), [Sch. 3](#)

41 Power of Her Majesty to vary limit to privative jurisdiction of sheriff court, etc.

- (1) If it appears to Her Majesty in Council that the sum of two hundred and fifty pounds specified in any of the provisions of this Act mentioned in subsection (2) below (or such other sum as may be specified in that provision by virtue of an Order in Council under this section) should be varied, Her Majesty may by Order in Council, specifying the provision and the sum in question, direct that the provision shall be amended so as to substitute for that sum such other sum as may be specified in the Order.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1971, Cross Heading: Miscellaneous and supplemental. (See end of Document for details)

- (2) The provisions referred to in subsection (1) above are—
 - section 31,
 - paragraphs (a), (b) and (c) of section 35,
 - F3
 - F3
- (3) An Order in Council under this section may contain such incidental, supplemental or consequential provisions as appear to Her Majesty in Council to be necessary or expedient for the purposes of the Order.
- (4) Any Order in Council made under this section may be revoked by a subsequent Order in Council under this section which substitutes another sum for the sum specified in the Order which is thereby revoked.
- (5) No recommendation shall be made to Her Majesty in Council to make an Order under this section unless a draft of the Order has been laid before Parliament and approved by resolution of each House of Parliament.

Textual Amendments

F3 Words repealed by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1980 \(c. 55, SIF 36:3, 72:2\)](#), ss. 11(2), 28(2), [Sch. 3](#)

42 Application of provisions regarding jurisdiction and summary causes.

The following provisions of this Act, namely—

- section 31,
- sections 35 to 40,
- section 46(2) so far as relating to the enactments mentioned in Part II of Schedule 2,
- Schedule 1 (except paragraph 1),

shall not apply in relation to any proceedings commenced before the commencement of this Act.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1971,
Cross Heading: Miscellaneous and supplemental.