

Status: Point in time view as at 01/04/2016.

Changes to legislation: There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, Part I. (See end of Document for details)

SCHEDULES

SCHEDULE 1

INELIGIBILITY FOR AND DISQUALIFICATION AND EXCUSAL FROM JURY SERVICE

PART I

PERSONS INELIGIBLE

GROUP A

The Judiciary

- [^{F1}(a) Justices of the Supreme Court or the President or Deputy President of that Court;]
- (b) Senators of the College of Justice;
- (c) sheriffs;
- [^{F2}(ca) summary sheriffs;]
- (d) Justices of the Peace;
- (e) stipendiary magistrates;
- (f) the chairman or president, the vice-chairman or vice-president and the registrar or assistant registrar of any tribunal; and
- (g) persons who, at any time within the 10 years immediately preceding the date at which their eligibility, in terms of section 1 of this Act, for jury service is being considered, have come within any description listed above in this Group.

Textual Amendments

- F1** Sch. 1 Pt. 1 Group A para. (a) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 34; S.I. 2009/1604, art. 2\(d\)](#)
- F2** Sch. 1 Pt. 1 Group A para. (ca) inserted (1.4.2016) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential Provisions\) Order 2016 \(S.S.I. 2016/142\), art. 1, sch. para. 1](#)

Textual Amendments

- F1** Sch. 1 Pt. 1 Group A para. (a) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 34; S.I. 2009/1604, art. 2\(d\)](#)
- F2** Sch. 1 Pt. 1 Group A para. (ca) inserted (1.4.2016) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential Provisions\) Order 2016 \(S.S.I. 2016/142\), art. 1, sch. para. 1](#)

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GROUP B

Others concerned with the administration of justice

- (a) Advocates and solicitors, whether or not in actual practice as such;
- (b) advocates' clerks;
- (c) apprentices of, and legal trainees employed by, solicitors;
- (d) officers and staff of any court if their work is wholly or mainly concerned with the day-to-day administration of the court;
- (e) persons employed as shorthand writers in any court;
- (f) Clerks of the Peace and their deputies;
- [^{F3}(fa) members and staff of the Scottish Police Authority;]
- (g) Inspectors of Constabulary appointed by Her Majesty;
- (h) assistant inspectors of constabulary appointed by the Secretary of State;
- [^{F4}(i) constables of the Police Service of Scotland (including constables engaged on temporary service within the meaning of section 15 of the Police and Fire Reform (Scotland) Act 2012 (asp 8));]
- (j) constables of any constabulary maintained under statute;
- (k) persons employed in any capacity by virtue of which they have the powers and privileges of police constables;
- (l) special constables;
- (m) police cadets;
- [^{F5}(n) persons appointed under section 26(1) of the Police and Fire Reform (Scotland) Act 2012;]
- [^{F6}(na) members of the National Criminal Intelligence Service;
- (nb) members of the Service Authority for the National Criminal Intelligence Service and persons employed by that Authority under section 13 of the Police Act 1997;]
- [^{F7}(nc) National Crime Agency officers;]
- (o) officers of^{F8} ... prisons, remand centres, detention centres, borstal institutions and young offenders institutions;
- [^{F9}(oa) prison monitoring co-ordinators appointed under section 7A(2) of the Prisons (Scotland) Act 1989 and independent prison monitors appointed under section 7B(2) (a) of that Act;]
- [^{F10}(oo) prisoner custody officers within the meaning of section 114(1) of the Criminal Justice and Public Order Act 1994;]
- (p) procurators fiscal within the meaning of [^{F11}section 307(1) of the Criminal Procedure (Scotland) Act 1995], and persons employed as clerks and assistants to such procurators fiscal;
- (q) messengers at arms and sheriff officers;
- (r) members of children's panels;
- (s) reporters appointed under section 36 of the Social Work (Scotland) Act ^{M1}1968 and their staffs;
- (t) directors of social work appointed under section 3 of the said Act of 1968 and persons employed to assist such directors in the performance of such of their functions as relate to probation schemes within the meaning of section 27 of that Act;
- (u) members of the Parole Board for Scotland;
- [^{F12}(v)

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- (w) persons who, at any time within the 5 years immediately preceding the date at which the eligibility, in terms of section 1 of this Act, for jury service is being considered, have come within any description listed above in this Group.
- [^{F13}(wza) persons who, at any time within the 5 years immediately preceding the date at which the eligibility, in terms of section 1 of this Act, for jury service is being considered, were members or employees of the Scottish Police Services Authority;]
- [^{F14}(wa) members and employees of the Scottish Criminal Cases Review Commission;]
- [^{F15}(wb) chief officers of community justice authorities established under section 3 of the Management of Offenders etc. (Scotland) Act 2005.]

Textual Amendments

- F3** Sch. 1 Pt. I Group B para. (fa) inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(a\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F4** Sch. 1 Pt. I Group B para. (i) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(b\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F5** Sch. 1 Pt. I Group B para. (n) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(c\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F6** Sch. 1 Pt. I Group B paras. (na)(nb) inserted (23.7.1999 for specified purposes and otherwise 1.4.1998) by 1997 c. 50, s. 134(1), [Sch. 9 para. 41](#); S.I. 1997/1377, [art. 4\(2\)\(p\)](#); S.I. 1998/354, [art. 2\(ay\)\(bb\)](#)
- F7** Sch. 1 Pt. I Group B para. (nc) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 27](#); S.I. 2013/1682, art. 3(v)
- F8** Words in Sch. 1 Pt. I Group B para. (o) repealed (31.8.2015) by [The Public Services Reform \(Inspection and Monitoring of Prisons\) \(Scotland\) Order 2015 \(S.S.I. 2015/39\)](#), art. 1, [Sch. para. 1\(a\)](#)
- F9** Sch. 1 Pt. I Group B para. (oa) inserted (31.8.2015) by [The Public Services Reform \(Inspection and Monitoring of Prisons\) \(Scotland\) Order 2015 \(S.S.I. 2015/39\)](#), art. 1, [Sch. para. 1\(b\)](#)
- F10** Sch. 1 Pt. I Group B para. (oo) inserted (3.2.1995) by 1994 c. 33, s. 168(2), [Sch. 10 para. 45](#); S.I. 1995/127, [art. 2\(1\)](#) Appendix B
- F11** Words in Sch. 1 Pt. I Group B para. (p) substituted (1.4.1996) by 1995 c. 40 ss.5, 7(2), Sch. 4 para. 45(a)
- F12** Sch. 1 Pt. I Group B para. (v) repealed (1.10.1993) by 1993 c. 9, s. 47(3), [Sch. 7 Pt. I](#); S.I. 1993/2050, [art. 3\(4\)](#).
- F13** Sch. 1 Pt. I Group B para. (wza) inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(d\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F14** Sch. 1 Pt. I Group B para. (wa) inserted (1.1.1998) by 1997 c. 48, s. 62(1), [Sch. 1 para. 7](#); S.I. 1997/3004, art. 2, [Sch.](#)
- F15** Sch. 1 Pt. I Group B para. (wb) inserted (30.6.2006) by [The Management of Offenders etc. \(Scotland\) Act 2005 \(Supplementary Provisions\) Order 2006 \(S.S.I. 2006/389\)](#), [art. 5](#)

Marginal Citations

- M1** 1968 c. 49.

Textual Amendments

- F3** Sch. 1 Pt. I Group B para. (fa) inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(a\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

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- F4** Sch. 1 Pt. I Group B para. (i) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(b\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F5** Sch. 1 Pt. I Group B para. (n) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(c\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F6** Sch. 1 Pt. I Group B paras. (na)(nb) inserted (23.7.1999 for specified purposes and otherwise 1.4.1998) by 1997 c. 50, s. 134(1), [Sch. 9 para. 41](#); S.I. 1997/1377, [art. 4\(2\)\(p\)](#); S.I. 1998/354, [art. 2\(ay\)\(bb\)](#)
- F7** Sch. 1 Pt. I Group B para. (nc) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 27](#); S.I. 2013/1682, art. 3(v)
- F8** Words in Sch. 1 Pt. I Group B para. (o) repealed (31.8.2015) by [The Public Services Reform \(Inspection and Monitoring of Prisons\) \(Scotland\) Order 2015 \(S.S.I. 2015/39\)](#), art. 1, [Sch. para. 1\(a\)](#)
- F9** Sch. 1 Pt. I Group B para. (oa) inserted (31.8.2015) by [The Public Services Reform \(Inspection and Monitoring of Prisons\) \(Scotland\) Order 2015 \(S.S.I. 2015/39\)](#), art. 1, [Sch. para. 1\(b\)](#)
- F10** Sch. 1 Pt. I Group B para. (oo) inserted (3.2.1995) by 1994 c. 33, s. 168(2), [Sch. 10 para. 45](#); S.I. 1995/127, [art. 2\(1\)](#) Appendix B
- F11** Words in Sch. 1 Pt. I Group B para. (p) substituted (1.4.1996) by 1995 c. 40 ss.5, 7(2), Sch. 4 para. 45(a)
- F12** Sch. 1 Pt. I Group B para. (v) repealed (1.10.1993) by 1993 c. 9, s. 47(3), [Sch. 7 Pt. I](#); S.I. 1993/2050, [art. 3\(4\)](#).
- F13** Sch. 1 Pt. I Group B para. (wza) inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 5\(d\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F14** Sch. 1 Pt. I Group B para. (wa) inserted (1.1.1998) by 1997 c. 48, s. 62(1), [Sch. 1 para. 7](#); S.I. 1997/3004, art. 2, [Sch.](#)
- F15** Sch. 1 Pt. I Group B para. (wb) inserted (30.6.2006) by [The Management of Offenders etc. \(Scotland\) Act 2005 \(Supplementary Provisions\) Order 2006 \(S.S.I. 2006/389\)](#), [art. 5](#)

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M1 1968 c. 49.

GROUP C

The mentally disordered

(Expressions used in this Group are to be construed in accordance with the [^{F16}Mental Health (Care and Treatment) (Scotland) Act 2003].)

- (a) Persons who are receiving medical treatment for mental disorder and either—
- (i) are, for the purposes of that treatment, [^{F17}detained in hospital under the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) or the Criminal Procedure (Scotland) Act 1995 (c. 46)]; or
 - (ii) ^{F18}
- [^{F19}(b) persons for the time being subject to guardianship under the Adults with Incapacity (Scotland) Act 2000 (asp 4).]

Textual Amendments

F16 Words in Sch. 1 Pt. 1 Group C substituted (27.9.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), arts. 1, 2, [Sch. 1 para. 10\(2\)\(a\)](#)

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- F17** Words in Sch. 1 Pt. 1 Group C para. (a)(i) substituted (27.9.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), arts. 1, 2, **Sch. 1 para. 10(2)(b)**
- F18** Sch. 1 Pt. 1 Group C para. (a)(ii) repealed (27.9.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), arts. 1, 3, **Sch. 2**
- F19** Sch. 1 Pt. 1 Group C para. (b) substituted (1.4.2002) for paras. (b)(c) by [2000 asp 4, s. 88\(2\)](#), **Sch. 5 para. 16**; S.I. 2001/81, art. 3, **Sch. 2**

Textual Amendments

- F16** Words in Sch. 1 Pt. 1 Group C substituted (27.9.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), arts. 1, 2, **Sch. 1 para. 10(2)(a)**
- F17** Words in Sch. 1 Pt. 1 Group C para. (a)(i) substituted (27.9.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), arts. 1, 2, **Sch. 1 para. 10(2)(b)**
- F18** Sch. 1 Pt. 1 Group C para. (a)(ii) repealed (27.9.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005 \(S.S.I. 2005/465\)](#), arts. 1, 3, **Sch. 2**
- F19** Sch. 1 Pt. 1 Group C para. (b) substituted (1.4.2002) for paras. (b)(c) by [2000 asp 4, s. 88\(2\)](#), **Sch. 5 para. 16**; S.I. 2001/81, art. 3, **Sch. 2**

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