

COURTS REFORM (SCOTLAND) ACT 2014

EXPLANATORY NOTES

THE ACT

Part 2 - Sheriff Appeal Court

Chapter 4 – Administration

Clerks

Section 59 – Clerk of the Sheriff Appeal Court

Section 60 – Deputy Clerks of the Sheriff Appeal Court

Section 61 – Clerk and Deputy Clerks: further provision

97. Sections 59, 60, and 61 make provision for the clerking arrangements in the Sheriff Appeal Court. Individuals can hold the office of the Clerk of the Sheriff Appeal Court only if they also hold the office of sheriff clerk. Provision is made for the SCTS to determine periods of appointment and terms and conditions for individuals appointed as Clerk and Deputy Clerks. The Clerk and Deputy Clerks of the Sheriff Appeal Court are staff of the SCTS. The Clerk, with permission of the SCTS, may delegate his or her functions to a Deputy Clerk of the Sheriff Appeal Court or a member of staff of the SCTS, for example the functions conferred by section 62(1)(b). Further provision is made for the SCTS to make arrangements to cover temporary absences of the Clerk, or Deputy Clerk, with other members of staff of the SCTS.

Records

Section 62 – Records of the Sheriff Appeal Court

98. Section 62 provides for the authentication of records of the Sheriff Appeal Court and includes provision enabling the records to be in electronic form. See also paragraph 11 of Part 2 of schedule 5 to the Act which amends the Public Records (Scotland) Act 1937 in relation to Sheriff Appeal Court records.