

# COURTS REFORM (SCOTLAND) ACT 2014

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## EXPLANATORY NOTES

### THE ACT

#### Part 8 – Scottish Land Court

##### *Section 126 – Scottish Land Court: remuneration and expenses*

250. [Section 126](#) restates with amendments provisions of the Scottish Land Court Act 1993 concerning remuneration, expenses, and expenditure. It provides for the transfer from the Scottish Ministers to the SCTS of certain functions relating to payment and determination of the remuneration and expenses of the members and staff etc. of the Scottish Land Court. But the Scottish Land Court is not one of the “Scottish courts” listed in section 2(6) of the Judiciary and Courts (Scotland) Act 2008 for which the SCTS has a general administrative support function under section 61 of that Act (pending any order made by the Scottish Ministers under section 2(7)).
251. The amendments provide that the following are to be done by the SCTS:
- payment of the Chair’s salary (determination of the amount of the Chair’s salary is, like other judicial salaries, reserved under the Scotland Act 1998);
  - determination and payment of the salary of the other members;
  - determination and payment of the remuneration of a former member of the court acting in a judicial capacity under Schedule 1 of the 1993 Act;
  - determination and payment of the remuneration of a person appointed to act as Deputy Chair of the Court; and
  - determination and payment of reasonably incurred expenses of the Chair, Deputy Chair (including those appointed by Ministers who may act in place of the Chair or another member), other court members and those former members nominated by the principal clerk under paragraph 6(2) of the 1993 Act, where those expenses are incurred in the execution of their duties.
252. Under the restated provisions, the Scottish Ministers retain the function of paying and determining the remuneration and expenses of the Clerk of the Court, the other staff of the Court and assessors, surveyors etc. appointed to assist the Court. Finally, this provision restates that the expenditure for the general administration of the Court including employment of the clerk, staff and on property is with the Scottish Ministers.