



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 1

#### SHERIFF COURTS

#### CHAPTER 2

#### JUDICIARY OF THE SHERIFFDOMS

##### *Re-employment of former holders of certain judicial offices*

#### **12 Re-employment of former judicial office holders**

- (1) A sheriff principal of a sheriffdom may appoint—
  - (a) a qualifying former sheriff principal to act as a sheriff of the sheriffdom,
  - (b) a qualifying former sheriff to act as such a sheriff,
  - (c) a qualifying former part-time sheriff to act as such a sheriff,
  - (d) a qualifying former summary sheriff to act as a summary sheriff of the sheriffdom,
  - (e) a qualifying former part-time summary sheriff to act as such a summary sheriff.
- (2) An individual appointed to act as mentioned in any of paragraphs (a) to (e) of subsection (1) may so act only during such periods or on such occasions as the sheriff principal may determine.
- (3) A sheriff principal may make an appointment under subsection (1) only if it appears to the sheriff principal to be expedient as a temporary measure in order to facilitate the disposal of business in the sheriff courts of the sheriffdom.
- (4) A “qualifying former sheriff principal” is an individual who—
  - (a) ceased to hold that office other than by virtue of an order under section 25, and
  - (b) has not reached the age of 75.
- (5) A “qualifying former sheriff” is an individual who—

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**Changes to legislation:** *Courts Reform (Scotland) Act 2014, Section 12 is up to date with all changes known to be in force on or before 26 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) ceased to hold that office other than—
    - (i) by virtue of an order under section 25, or
    - (ii) by being appointed as a sheriff principal, and
  - (b) has not reached the age of 75.
- (6) A “qualifying former part-time sheriff” is an individual who—
- (a) ceased to hold that office other than—
    - (i) by virtue of removal under section 25,
    - (ii) by virtue of not being reappointed to the office on either of the grounds mentioned in section 9(1)(b) and (c), or
    - (iii) by being appointed as a sheriff principal, and
  - (b) has not reached the age of 75.
- (7) A “qualifying former summary sheriff” is an individual who—
- (a) ceased to hold that office other than—
    - (i) by virtue of an order under section 25, or
    - (ii) by being appointed as a sheriff, and
  - (b) has not reached the age of 75.
- (8) A “qualifying former part-time summary sheriff” is an individual who—
- (a) ceased to hold that office other than—
    - (i) by virtue of removal under section 25,
    - (ii) by virtue of not being reappointed to the office on either of the grounds mentioned in section 11(1)(b) and (c), or
    - (iii) by being appointed as a sheriff, and
  - (b) has not reached the age of 75.

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**Commencement Information**

**II** S. 12 in force at 1.4.2015 by [S.S.I. 2015/77](#), art. 2(2)(3), [Sch.](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 1 para. 5A and cross-heading inserted by [2020 asp 9 s. 9](#)
- sch. 1 para. 2(g)(h) inserted by [2021 asp 16 s. 15\(8\)](#)