



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 1

#### SHERIFF COURTS

#### CHAPTER 4

#### COMPETENCE AND JURISDICTION

##### *Sheriffs: civil competence and jurisdiction*

#### **42 All-Scotland jurisdiction: further provision**

- (1) This section applies in relation to a sheriff sitting at a sheriff court specified in an order under section 41(1) (referred to in this section as a “specified sheriff court”).
- (2) The sheriff’s all-Scotland jurisdiction is concurrent with, and alternative to, the sheriff’s local jurisdiction.
- (3) The sheriff’s “all-Scotland jurisdiction” is the extended jurisdiction in relation to specified proceedings that the sheriff has by virtue of the order under section 41(1).
- (4) The sheriff’s “local jurisdiction” is the jurisdiction that the sheriff would have in relation to specified proceedings apart from the order under section 41(1).
- (5) A party bringing specified proceedings in the specified sheriff court must indicate, at the time the proceedings are brought, whether they are for determination in the exercise of a sheriff’s all-Scotland jurisdiction or a sheriff’s local jurisdiction.
- (6) Subsection (5) does not affect any power that a sheriff has to decline jurisdiction in any case.
- (7) In this Act, references to an “all-Scotland sheriff court” are references to a specified sheriff court so far as the court is constituted by a sheriff sitting in the exercise of the sheriff’s all-Scotland jurisdiction.
- (8) For the purposes of any provision of this Act, or any other enactment, relating to the transfer or remit of proceedings between courts, a specified sheriff court is, when

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**Changes to legislation:** *Courts Reform (Scotland) Act 2014, Section 42 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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constituted as an all-Scotland sheriff court, taken to be a separate sheriff court from the court as constituted by a sheriff sitting in the exercise of the sheriff's local jurisdiction.

- (9) In this section, “specified proceedings” means, in relation to a specified sheriff court, civil proceedings of a type that are specified in relation to that court in the order under section 41(1).

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**Commencement Information**

**II** S. 42 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\(8\)](#)