



Sheriff Courts (Civil Jurisdiction and Procedure) (Scotland) Act 1963

1963 CHAPTER 22

An Act to increase the amount by reference to which actions are classified as summary causes in the sheriff court in Scotland; to increase the amount by reference to which the small debt jurisdiction of the sheriff is limited; to amend the law with regard to the bringing of actions between spouses for interim aliment of small amounts in the sheriff's small debt court and with regard to the jurisdiction of the sheriff in such actions brought as aforesaid; and for purposes connected with the matters aforesaid. [10th July 1963]

1, 2.^{F1}

Textual Amendments

F1 Ss. 1,2 repealed by [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), [Sch. 2 Pt. II](#)

[^{F23} **Actions for aliment of small amounts.**

- (1) An action under section 2 of the Family Law (Scotland) Act ^{M1}1985 for aliment only (whether or not expenses are also sought) may be brought before the sheriff as a summary cause if the aliment claimed in the action does not exceed—
 - (a) in respect of a child under the age of 18 years, the sum of £35 per week; and
 - (b) in any other case, the sum of £70 per week;and any provision in any enactment limiting the jurisdiction of the sheriff in a summary cause by reference to any amount, or limiting the period for which a decree granted by him shall have effect, shall not apply in relation to such an action.
- (2) Without prejudice to any other enactment, the sheriff shall have jurisdiction in an action for aliment brought as a summary cause by virtue of subsection (1) above if—
 - (a) the pursuer resides within the jurisdiction of the sheriff, and

***Changes to legislation:** Sheriff Courts (Civil Jurisdiction and Procedure) (Scotland) Act 1963 is up to date with all changes known to be in force on or before 20 August 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*

- (b) the action could, by virtue of section 6 of the principal Act (which relates to jurisdiction), have been brought in the sheriff court of another sheriffdom.
- (3) The Lord Advocate may by order vary the amounts prescribed in paragraphs (a) and (b) of subsection (1) above.
- (4) The power to make an order under subsection (3) above shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament and shall include power to vary or revoke any order made thereunder.]

Textual Amendments

F2 S. 3 substituted by [Family Law \(Scotland\) Act 1985 \(c. 37, SIF 49:3\)](#), s. 23

Modifications etc. (not altering text)

C1 S. 3: power to transfer functions conferred (19.5.1999) by [S.I. 1999/678](#), art. 2(1), [Sch.](#)

Marginal Citations

M1 [1985 c. 37 \(49:3\)](#).

4 Citation, construction and commencement.

- (1) This Act may be cited as the Sheriff Courts (Civil Jurisdiction and Procedure) (Scotland) Act 1963.
- (2) In this Act the expression “the principal Act” means the ^{M2}Sheriff Courts (Scotland) Act 1907, as amended by any other enactment, and the principal Act and this Act shall be construed together as one.
- (3) This Act shall come into operation on 1st October 1963.

Marginal Citations

M2 [1907 c. 51](#).

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

- Act repealed by [2014 asp 18 sch. 5 para. 21](#)