
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 293

The Sheriff Court Districts Amendment Order 2009

Citation and commencement

1. This Order may be cited as the Sheriff Court Districts Amendment Order 2009 and comes into force on 31st August 2009.

Amendment of the Sheriff Court Districts (Alteration of Boundaries) Order 1996

2.—(1) The Sheriff Court Districts (Alteration of Boundaries) Order 1996⁽¹⁾ is amended as follows.

(2) In column 2 of Schedule 1 for “Linlithgow” substitute “Livingston”.

(3) In column 4 of Schedule 1 omit the words “Linlithgow and”.

Transitional provision

3.—(1) With effect from 31st August 2009—

(a) any proceedings which were instituted in Linlithgow Sheriff Court, but which have not been completed, are to continue in Livingston Sheriff Court as if instituted there;

(b) ongoing cases at Linlithgow Sheriff Court are to be heard and disposed of at Livingston Sheriff Court as if Livingston Sheriff Court always had jurisdiction for the proceedings;

(c) any relevant—

(i) verdict, sentence, order or other determination; and

(ii) indictment, complaint, petition, writ, notice, citation, warrant, extract or other document,

which makes reference to Linlithgow Sheriff Court or Linlithgow Sheriff Court District has effect as though that reference is a reference to Livingston Sheriff Court or Livingston Sheriff Court District (whichever is applicable);

(d) any sentence, decree, fine, fixed penalty, conditional offer or other penalty that was enforceable in Linlithgow Sheriff Court District is to continue to be enforceable in Livingston Sheriff Court District;

(e) any expenses that were enforceable in Linlithgow Sheriff Court District are to continue to be enforceable in Livingston Sheriff Court District; and

(f) the general jury book maintained in respect of Linlithgow Sheriff Court District in terms of section 3 of the Jurors (Scotland) Act 1825⁽²⁾ is to continue to be maintained in respect of Livingston Sheriff Court District.

(2) Where immediately before 31st August 2009—

(1) S.I. 1996/1005, as amended by the Sheriff Court Districts (Alteration of Boundaries) Amendment Order 1996 (S.I. 1996/2192).

(2) 1825 c.22.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) a sheriff was required or directed to perform duties as a sheriff in Linlithgow Sheriff Court District that sheriff is to, on and after that date, without the necessity of any new direction being made, perform duties in Livingston Sheriff Court District; and
- (b) a person held the office of sheriff clerk or sheriff clerk depute in Linlithgow Sheriff Court District, that person is to, on and after that date, without the necessity of a new appointment, hold the office of sheriff clerk, or as the case may be sheriff clerk depute, in Livingston Sheriff Court District.

Consequential provision relating to Justice of the Peace Court

4. The Justice of the Peace Court established for the Linlithgow Sheriff Court District under the Justice of the Peace Courts (Sheriffdom of Lothian and Borders) etc. Order 2008(3) is deemed to be established for the Livingston Sheriff Court District.

St Andrew's House,
Edinburgh
17th August 2009

KENNY MACASKILL
A member of the Scottish Executive