

SCHEDULE

Article 2

Modification of Enactments

PART 1

Modification of primary legislation

Law Reform (Miscellaneous Provisions) (Scotland) Act 1966

1. In section 8(6) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1966⁽¹⁾ (variation etc. of certain orders made by the Court of Session in respect of maintenance, custody etc.), in the definition of “sheriff”, for “paragraph (a), (b) or (j) of section 6 of the Sheriff Courts (Scotland) Act 1907” substitute “paragraphs (a), (b), (c) or (k) of section 43(2) of the Courts Reform (Scotland) Act 2014”.

Hovercraft Act 1968

2. In section 2(1) of the Hovercraft Act 1968⁽²⁾ (admiralty jurisdiction etc.), for “section 4 of the Sheriff Courts (Scotland) Act 1907” substitute “sections 38(2)(j) and 40 of the Courts Reform (Scotland) Act 2014”.

Administration of Justice (Scotland) Act 1972

3. In section 1(3) of the Administration of Justice (Scotland) Act 1972⁽³⁾ (powers of courts to order inspection of documents or other property, etc.), for “section 16 of the Administration of Justice (Scotland) Act 1933” substitute “section 103(1) of the Courts Reform (Scotland) Act 2014”.

Insolvency Act 1986

4. In section 414 of the Insolvency Act 1986⁽⁴⁾ (fees orders (company insolvency proceedings)), subsection (9) is repealed.

Criminal Procedure (Scotland) Act 1995

5. In section 8(2) of the Criminal Procedure (Scotland) Act 1995⁽⁵⁾ (sittings of sheriff and JP courts), for “section 17(1)(b) of the Sheriff Courts (Scotland) Act 1971” substitute “section 28(1) of the Courts Reform (Scotland) Act 2014”.

Access to Justice Act 1999

6.—(1) Section 68 of the Access to Justice Act 1999⁽⁶⁾ (judges holding office in European or international courts) is amended as follows.

(2) In subsection (3)(a), for “section 14 of the Sheriff Courts (Scotland) Act 1907” substitute “section 16 of the Courts Reform (Scotland) Act 2014”.

(1) 1966 c.19.

(2) 1968 c.59.

(3) 1972 c.59; section 1(3) is amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 12(4).

(4) 1986 c.45.

(5) 1995 c.46.

(6) 1999 c.22.

(3) In subsection (4), for “section 11(1) of the Sheriff Courts (Scotland) Act 1971 (temporary appointment of sheriff principal)” substitute “section 6 of the Courts Reform (Scotland) Act 2014 (temporary sheriff principal)”.

Antisocial Behaviour etc. (Scotland) Act 2004

7. In section 40 of the Antisocial Behaviour etc. (Scotland) Act 2004(7) (interpretation of part 4), in the definition of “court day” for the words from “section 17(1)(b)” to “(c.46)” substitute “section 28(1) of the Courts Reform (Scotland) Act 2014 (asp 18)”.

Inquiries Act 2005

8.—(1) Section 10 of the Inquiries Act 2005(8) (appointment of judge as panel member) is amended as follows.

(2) In the first column of the table in subsection (1) (description of judge), for “or sheriff” substitute “, sheriff or summary sheriff”.

(3) Subsection (2) is repealed.

Bankruptcy and Diligence etc. (Scotland) Act 2007

9. In section 114(4) of the Bankruptcy and Diligence etc. (Scotland) Act 2007(9) (audit of report of sale), for “section 2 of the Courts of Law Fees (Scotland) Act 1895 (c.14)” substitute “section 107(1) of the Courts Reform (Scotland) Act 2014 (asp 18)”.

PART 2

Modification of secondary legislation

The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013

10. In part 2 of schedule 4 to the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013(10) (excepted professions, offices, employments and occupations), for paragraph 27 substitute—

“27. Members mentioned in section 21(4)(d) of the Courts Reform (Scotland) Act 2014 of a tribunal constituted under section 21(1) or (2) of that Act to consider the fitness for office of a person holding a judicial office mentioned in section 21(3) of that Act.”.

(7) 2004 asp 8.

(8) 2005 c.12.

(9) 2007 asp 3.

(10) S.S.I. 2013/50.