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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 378**

**The Courts Reform (Scotland) Act 2014 (Commencement  
No. 5, Transitional and Saving Provisions) Order 2015**

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Courts Reform (Scotland) Act 2014 (Commencement No. 5, Transitional and Saving Provisions) Order 2015 and comes into force on 1st January 2016.

(2) In this Order—

“the Act” means the Courts Reform (Scotland) Act 2014; and

“the 1907 Act” means the Sheriff Courts (Scotland) Act 1907(1).

**Appointed day**

**2.**—(1) Subject to paragraph (2), the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in the Schedule to this Order (the subject matter of which is specified in column 2 of that table) is 1st January 2016.

(2) Where a purpose is specified in column 3 of the table in the Schedule, a provision specified in column 1 of that table comes into force only for that purpose.

**Appeals – general**

**3.** Despite the repeal of sections 27 to 29 of the 1907 Act (appeals from sheriffs or sheriffs principal) by paragraph 4(e) of schedule 5 to the Act, those sections continue to apply—

(a) to a decision of a sheriff made before 1st January 2016; and

(b) to an appeal against a decision of a sheriff principal in an appeal under section 27 of the 1907 Act.

**Appeals – summary causes**

**4.** In relation to a decision of a sheriff made on or after 1st January 2016, section 38 of the Sheriff Courts (Scotland) Act 1971(2) (appeal in summary causes) applies as if the references to the sheriff principal were references to the Sheriff Appeal Court.

**All-Scotland sheriff court: references to the Sheriff Appeal Court**

**5.** For article 8(1) of the Courts Reform (Scotland) Act 2014 (Commencement No. 3, Transitional and Saving Provisions) Order 2015(3) (all-Scotland sheriff court: references to the Sheriff Appeal Court), substitute—

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(1) 1907 c.51.

(2) 1971 c.58. Section 38 was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73), section 18(4) and is prospectively repealed by the Courts Reform (Scotland) Act 2014, Schedule 5, paragraph 6(2).

(3) S.S.I. 2015/247.

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**Status:** This is the original version (as it was originally made).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

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“(1) Paragraphs (2) and (3) have effect in relation to any application made under section 69 or 71 of the Act before 1st January 2016.”.

St Andrew’s House,  
Edinburgh  
4th November 2015

*PAUL WHEELHOUSE*  
Authorised to sign by the Scottish Ministers