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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 240**

**SHERIFF COURT**

**Act of Sederunt (Messengers-at-Arms and Sheriff Officers Rules) (Amendment) 2017**

<i>Made</i>	- - - -	<i>10th July 2017</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>12th July 2017</i>
<i>Coming into force</i>	- -	<i>2nd October 2017</i>

The Court of Session makes this Act of Sederunt under the powers conferred by section 75 of the Debtors (Scotland) Act 1987(1) and all other powers enabling it to do so.

**Citation and commencement, etc.**

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Messengers-at-Arms and Sheriff Officers Rules) (Amendment) 2017.

(2) It comes into force on 2nd October 2017.

(3) A certified copy is to be inserted in the Books of Sederunt.

**Amendment of the Messengers-at-Arms and Sheriff Officers Rules 1991**

2.—(1) The Act of Sederunt (Messengers-at-Arms and Sheriff Officers Rules) 1991(2) is amended in accordance with this paragraph.

(2) In rule 8 (application for commission as sheriff officer)(3)—

(a) in paragraph (2)—

(i) in subparagraph (d) omit “and”; and

(ii) after subparagraph (e) insert “; and (f) an enhanced criminal record certificate issued by the Scottish Ministers under section 113B of the Police Act 1997(4) no more than three months earlier than the date on which the application under paragraph (1) is made.”;

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(1) 1987 c. 18. Section 75 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedule 4, paragraph 2.  
(2) S.I. 1991/1397, last amended by S.S.I. 2014/29.  
(3) Rule 8 was amended by S.I. 1998/2636 and S.S.I. 2014/29.  
(4) 1997 c.50 last amended by S.S.I. 2015/423.

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**Status:** This is the original version (as it was originally made).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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- (b) in paragraph (3) for “in such newspapers circulating in the sheriffdom as the sheriff principal shall require” substitute “for a period of no less than 28 days on the website of the Society of Messengers-at-Arms and Sheriff Officers”.
- (3) In schedule 1 (forms) in the heading of Form 3 omit the words “IN NEWSPAPER”.

Edinburgh  
10th July 2017

*CJM SUTHERLAND*  
Lord President  
I.P.D.

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## EXPLANATORY NOTE

*(This note is not part of the Act of Sederunt)*

This Act of Sederunt amends the Act of Sederunt (Messengers-at-Arms and Sheriff Officer Rules 1991 ([S.I. 1991/1397](#))).

Paragraph 2(2)(a) inserts a new requirement into rule 8(2) that an application for commission as a sheriff officer be accompanied by an enhanced criminal record certificate which is no more than three months old at the date of the application.

Paragraph 2(2)(b) replaces the requirement in rule 8(3) that an application be advertised in newspapers with a requirement that the application be advertised for a period of no less than 28 days on the website of the Society of Messenger-at-Arms and Sheriff Officers.

Paragraph 2(3) makes an amendment to the heading in Form 3 in schedule 1 of the Act of Sederunt to reflect the fact the advertisement will no longer appear in newspapers.