



# Sheriff Courts (Scotland) Act 1971

## 1971 CHAPTER 58

### PART IV

#### MISCELLANEOUS AND GENERAL

#### <sup>F1</sup>43 Orders, etc.

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##### Textual Amendments

**F1** Act (except for ss. 2(3), 3(4)) repealed (S.) (1.4.2015 except for the repeal of ss. 31, 35, 36(2)(3), 36A, 36B, 37, 38, 45, 22.9.2015 for the repeal of ss. 31, 37(1)(b)(2A)(2D), 28.11.2016 for the repeal of ss. 35(2)-(4), 36A, 36B, 37(2B)(2C) and the repeal of specified words in s. 38(b)) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), [sch. 5 para. 6\(2\)](#); [S.S.I. 2015/77](#), art. 2(2)(3), sch. (with art. 7); [S.S.I. 2015/247](#), art. 2, sch. (with art. 9); [S.S.I. 2016/291](#), art. 2, sch. (with art. 3(1)(2))

#### <sup>F1</sup>44 Expenses.

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##### Textual Amendments

**F1** Act (except for ss. 2(3), 3(4)) repealed (S.) (1.4.2015 except for the repeal of ss. 31, 35, 36(2)(3), 36A, 36B, 37, 38, 45, 22.9.2015 for the repeal of ss. 31, 37(1)(b)(2A)(2D), 28.11.2016 for the repeal of ss. 35(2)-(4), 36A, 36B, 37(2B)(2C) and the repeal of specified words in s. 38(b)) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), [sch. 5 para. 6\(2\)](#); [S.S.I. 2015/77](#), art. 2(2)(3), sch. (with art. 7); [S.S.I. 2015/247](#), art. 2, sch. (with art. 9); [S.S.I. 2016/291](#), art. 2, sch. (with art. 3(1)(2))

#### 45 Interpretation.

(1) In this Act, unless the contrary intention appears—

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*Changes to legislation: There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1971, Part IV. (See end of Document for details)*

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- (a) references to a sheriff principal include references to a temporary sheriff principal, and references to the office of sheriff principal include references to an appointment as a temporary sheriff principal;
- (b) references to a sheriff include references to a [<sup>F2</sup>part-time] sheriff and an honorary sheriff, and references to the office of sheriff include references to an appointment as a [<sup>F2</sup>part-time]sheriff and to the office of honorary sheriff;
- (c) references to an honorary sheriff are references to a person holding the office of honorary sheriff in his capacity as such.

(2) In this Act—

- (a) “enactment” includes an order, regulation, rule or other instrument having effect by virtue of an Act;
- (b) any reference to any enactment shall, unless the contrary intention appears, be construed as a reference to that enactment as amended or extended, and as including a reference thereto as applied, by or under any other enactment (including this Act).

- (3) Subject to the foregoing provisions of this section and to any other express provision of this Act, expressions used in this Act and in the <sup>M1</sup>Sheriff Courts (Scotland) Act 1907 shall have the same meanings in this Act as in that Act.

**Textual Amendments**

**F2** Words in s. 45(1)(b) substituted (9.8.2000) by 2000 asp 9, s. 12, **Sch. para. 1(12)**

**Marginal Citations**

**M1** 1907 c. 51.

**<sup>F1</sup>46 Amendment and repeal of enactments.**

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**Textual Amendments**

**F1** Act (except for ss. 2(3), 3(4)) repealed (S.) (1.4.2015 except for the repeal of ss. 31, 35, 36(2)(3), 36A, 36B, 37, 38, 45, 22.9.2015 for the repeal of ss. 31, 37(1)(b)(2A)(2D), 28.11.2016 for the repeal of ss. 35(2)-(4), 36A, 36B, 37(2B)(2C) and the repeal of specified words in s. 38(b)) by **Courts Reform (Scotland) Act 2014 (asp 18)**, s. 138(2), **sch. 5 para. 6(2)**; S.S.I. 2015/77, art. 2(2)(3), sch. (with art. 7); S.S.I. 2015/247, art. 2, sch. (with art. 9); S.S.I. 2016/291, art. 2, sch. (with art. 3(1)(2))

**<sup>F1</sup>47 Short title, commencement and extent.**

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**Textual Amendments**

**F1** Act (except for ss. 2(3), 3(4)) repealed (S.) (1.4.2015 except for the repeal of ss. 31, 35, 36(2)(3), 36A, 36B, 37, 38, 45, 22.9.2015 for the repeal of ss. 31, 37(1)(b)(2A)(2D), 28.11.2016 for the repeal of ss. 35(2)-(4), 36A, 36B, 37(2B)(2C) and the repeal of specified words in s. 38(b)) by **Courts Reform**

**Changes to legislation:** *There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1971, Part IV. (See end of Document for details)*

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(Scotland) Act 2014 (asp 18), s. 138(2), **sch. 5 para. 6(2)**; S.S.I. 2015/77, art. 2(2)(3), sch. (with art. 7); S.S.I. 2015/247, art. 2, sch. (with art. 9); S.S.I. 2016/291, art. 2, sch. (with art. 3(1)(2))

**Changes to legislation:**

There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1971, Part IV.