
STATUTORY INSTRUMENTS

1996 No. 1006 (S.109)

SHERIFF COURT, SCOTLAND

The Sheriffdoms (Alteration of Boundaries) Order 1996

Made - - - - - *29th March 1996*

Coming into force - - - - - *1st April 1996*

The Secretary of State, in exercise of the powers conferred on him by sections 2 and 43 of the Sheriff Courts (Scotland) Act 1971⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order, a draft of which has been laid before and has been approved by resolution of each House of Parliament:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Sheriffdoms (Alteration of Boundaries) Order 1996 and shall come into force on 1st April 1996.

(2) In this Order—

“local authority area” means the area of a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽²⁾;

“ward” means an electoral ward specified by the Secretary of State in a direction made under paragraph 1(1) of Schedule 2 to the Local Government etc. (Scotland) Act 1994 for the purposes of the elections held under section 5(2) of that Act.

Alteration of boundaries of sheriffdoms

2.—(1) On 1st April 1996, the boundaries of the sheriffdoms of—

- (a) Glasgow and Strathkelvin; and
- (b) South Strathclyde, Dumfries and Galloway,

shall be altered so that each of those sheriffdoms shall on and after that date comprise the area specified in column 2 of the Schedule to this Order opposite the name of the sheriffdom in question (as specified in column 1 of that Schedule).

(2) The other four sheriffdoms formed under the Sheriffdoms Reorganisation Order 1974⁽³⁾ shall continue in existence after 31st March 1996 without alteration of their boundaries and each shall accordingly comprise the area specified in column 2 of the Schedule to this Order opposite the name of the sheriffdom in question (as specified in column 1 of that Schedule).

⁽¹⁾ 1971 c. 58.

⁽²⁾ 1994 c. 39.

⁽³⁾ S.I.1974/2087, as amended by S.I. 1975/637.

Transitional provisions

3.—(1) Paragraph (2) below applies in respect of a sheriff court located in a sheriffdom whose boundaries are altered in accordance with article 2(1) above.

(2) All procedure in, or incidental proceedings arising out of, any proceedings in a sheriff court to which this paragraph applies which as at 1st April 1996 were either pending or had been concluded shall be conducted in and be deemed to be within the jurisdiction of the sheriff of the sheriffdom in which is located the place where the court was held in which these proceedings were pending or had been conducted.

(3) Notwithstanding the provisions of paragraph (2) above, in criminal proceedings jurisdiction to try any offence which has been committed prior to 1st April 1996 may be exercised either by a court in which the offence could have been tried before that date or by a court of the sheriffdom in which is situated the place where the offence was committed.

Revocation

4.—(1) Subject to paragraph (2) below, the Sheriffdoms Reorganisation Order 1974 is hereby revoked.

(2) Paragraph (1) above shall not affect the amendment of section 1(4) of the Commonwealth Secretariat Act 1966(4) made by Schedule II to the Order referred to in that paragraph.

St Andrew's House, Edinburgh
29th March 1996

James Douglas-Hamilton
Minister of State, Scottish Office

(4) 1966 c. 10.

SCHEDULE

Article 2

SHERIFFDOMS

Column 1 Sheriffdom	Column 2 Area comprised in sheriffdom
Grampian, Highland and Islands	The local authority areas of Aberdeen City, Aberdeenshire, Highland, Moray, Orkney Islands, Shetland Islands and Western Isles.
Tayside, Central and Fife	The local authority areas of Angus, Clackmannanshire, Dundee City, Falkirk, Fife, Perth and Kinross and Stirling.
Lothian and Borders	The local authority areas of City of Edinburgh, East Lothian, Midlothian, West Lothian and Scottish Borders.
Glasgow and Strathkelvin	(a) The local authority area of City of Glasgow; (b) in the local authority area of East Dunbartonshire, wards 11-26; and (c) in the local authority area of South Lanarkshire, wards 62-74.
North Strathclyde	(a) The local authority areas of Argyll and Bute, North Ayrshire, West Dunbartonshire, Inverclyde, East Renfrewshire and Renfrewshire; (b) in the local authority area of East Ayrshire, wards 1-20; and (c) in the local authority area of East Dunbartonshire, wards 1-10.
South Strathclyde, Dumfries and Galloway	(a) The local authority areas of South Ayrshire, Dumfries and Galloway and North Lanarkshire; (b) in the local authority area of East Ayrshire, wards 21-30; and (c) in the local authority area of South Lanarkshire, wards 1-61.

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EXPLANATORY NOTE

(This note is not part of the Order)

By virtue of the Sheriffdoms Reorganisation Order 1974 (“the 1974 Order”), Scotland is divided into six sheriffdoms. This Order alters the boundaries of two of these sheriffdoms, so as to transfer an area around Chryston from the sheriffdom of Glasgow and Strathkelvin into the sheriffdom of South Strathclyde, Dumfries and Galloway. The boundaries of the other four sheriffdoms remain unchanged.

Since the 1974 Order specified the areas of sheriffdoms by reference to the areas of regional, district and islands councils (which bodies are to be abolished as at 1st April 1996), that Order is now revoked and the Schedule to this Order specifies the areas of the sheriffdoms by reference to new local authority areas and electoral wards.