

Status: Point in time view as at 01/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Judiciary and Courts (Scotland) Act 2008, SCHEDULE 5. (See end of Document for details)

SCHEDULE 5

(introduced by section 73)

CONSEQUENTIAL AMENDMENTS AND REPEALS

The Courts of Law Fees (Scotland) Act 1895 (c. 14)

- 1 In the Courts of Law Fees (Scotland) Act 1895, in section 2(1)(a), the words from “the expenses” to “Scottish Ministers” are repealed.

Commencement Information

II Sch. 5 para. 1 in force at 1.4.2010 by S.S.I. 2010/39, art. 2(b), Sch.

The Sheriff Courts (Scotland) Act 1971 (c. 58)

- 2 (1) The 1971 Act is amended as follows.
- (2) Section 11A(2) is repealed.
- (3) Section 11C is repealed.
- (4) In section 11D (regulations and orders under sections 11A and 11C)—
- (a) in subsection (1), for the words “Regulations under section 11A or section 11C and orders” substitute “Orders”, and
- (b) in subsection (2), the words “regulations or” are repealed.
- (5) Part 2 (court houses, buildings and offices) is repealed.
- (6) In section 33 (Sheriff Court Rules Council), in subsection (4), the words from “and” to the end are repealed.

Commencement Information

I2 Sch. 5 para. 2 in force at 1.4.2010 by S.S.I. 2010/39, art. 2(b), Sch.

The Scotland Act 1998 (Transitory and Transitional Provisions) (Removal of Judges) Order 1999 (S.I. 1999/1017)

- 3 The Scotland Act 1998 (Transitory and Transitional Provisions) (Removal of Judges) Order 1999 is revoked.

Commencement Information

I3 Sch. 5 para. 3 in force at 1.4.2010 by S.S.I. 2010/39, art. 2(b), Sch.

The Senior Judiciary (Vacancies and Incapacity) (Scotland) Act 2006 (asp 9)

- 4 The Senior Judiciary (Vacancies and Incapacity) (Scotland) Act 2006 is repealed.

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The Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6)

- 5 (1) The Criminal Proceedings etc. (Reform) (Scotland) Act 2007 is amended as follows.
- (2) In section 81 (orders)—
- (a) in subsection (1), after “Ministers” insert “ or the Lord President of the Court of Session ”, and
 - (b) in subsection (2)(a), after “consider” insert “ or (as the case may be) the Lord President considers ”.
- (3) The following provisions are repealed—
- (a) in section 59(8) (establishing JP courts), paragraph (a) and the word “and” which immediately follows it,
 - (b) section 60 (provision for justice of the peace courts), and
 - (c) section 63(6) (staffing of justice of the peace courts)

Commencement Information

I4 Sch. 5 para. 5 in force at 1.4.2010 by S.S.I. 2010/39, art. 2(b), Sch.

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