



Judiciary and Courts (Scotland) Act 2008

2008 asp 6

PART 3

THE COURTS

Sheriff courts

47 Sheriff principal's responsibility

- (1) The 1971 Act is amended as follows.
- (2) For section 15 substitute—

“15 Efficient disposal of business in sheriff courts

- (1) The sheriff principal of each sheriffdom is responsible for securing the efficient disposal of business in the sheriff courts of that sheriffdom.
 - (2) If, in carrying out that responsibility, the sheriff principal gives a direction of an administrative character to a person mentioned in subsection (3), the person must comply with the direction.
 - (3) Those persons are—
 - (a) a sheriff authorised by virtue of any enactment to act in that sheriffdom,
 - (b) a member of staff of the Scottish Court Service.
 - (4) Subsections (1) and (2) are subject to section 2(2)(a) and (3) of the Judiciary and Courts (Scotland) Act 2008 (asp 6) (which make the Head of the Scottish Judiciary responsible for maintaining arrangements for securing the efficient disposal of business in the Scottish courts and require compliance with directions given in pursuance of that responsibility).”
- (3) In section 16 (powers exercisable by sheriff principal in pursuance of responsibility imposed by section 15)—
 - (a) in subsection (1)—

Status: This is the original version (as it was originally enacted).

- (i) for the words from “securing” to “sheriffdom”, in the second place it appears, substitute “carrying out the responsibility imposed by section 15(1) of this Act”, and
 - (ii) in paragraph (a), for the words from the beginning of the paragraph to “aforesaid” substitute “provide for the division of business in the sheriff courts of that sheriffdom”, and
- (b) after subsection (1) insert—
 - “(1A) Subsection (1) is subject to section 2(2)(a) and (3) of the Judiciary and Courts (Scotland) Act 2008 (asp 6) (which make the Head of the Scottish Judiciary responsible for maintaining arrangements for securing the efficient disposal of business in the Scottish courts and require compliance with directions given in pursuance of that responsibility).”.
- (4) In section 17 (sheriff principal’s power to fix sittings and business of sheriff courts), after subsection (4) insert—
 - “(4A) Subsections (1) to (4) are subject to section 2(2)(a) and (3) of the Judiciary and Courts (Scotland) Act 2008 (asp 6) (which make the Head of the Scottish Judiciary responsible for maintaining arrangements for securing the efficient disposal of business in the Scottish courts and require compliance with directions given in pursuance of that responsibility).”.
- (5) In section 20 (Lord Advocate’s instructions to procurators fiscal), the words “speedy and” are repealed.