

*These notes relate to the Courts Reform (Scotland) Act 2014  
(asp 18) which received Royal Assent on 10 November 2014*

# **COURTS REFORM (SCOTLAND) ACT 2014**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 1 - Sheriff Courts**

##### *Chapter 2 - Judiciary of the sheriffdoms*

#### **Permanent and full-time judiciary**

##### *Section 5 – Summary sheriffs*

26. **Section 5** introduces a new office of summary sheriff who will be subject to the same appointment procedures as for sheriffs – that is, subject to the qualification requirements contained in section 14, and appointed by Her Majesty on the recommendation of the First Minister, after consulting the Lord President. The appointment procedure set out in section 5 does not affect the operation of section 11 of the Judiciary and Courts (Scotland) Act 2008, the effect of which is that the First Minister may only recommend an individual who has been recommended for appointment by the Judicial Appointments Board for Scotland (subsection (4) – paragraph 9(3) of schedule 5 amends section 10 of the 2008 Act to bring the office of summary sheriff and part-time summary sheriff within the remit of the Judicial Appointments Board). Sections 44 and 45 and schedule 1 make provision about the competence and jurisdiction of summary sheriffs.