



Courts Reform (Scotland) Act 2014

2014 asp 18

PART 1

SHERIFF COURTS

CHAPTER 2

JUDICIARY OF THE SHERIFFDOMS

Permanent and full-time judiciary

3 Sheriffs principal

- (1) For each sheriffdom, there is to continue to be a judicial officer to be known as the “sheriff principal” of the sheriffdom.
- (2) It is for Her Majesty to appoint an individual to the office of sheriff principal.
- (3) The First Minister may, under section 95(4) of the Scotland Act 1998, recommend to Her Majesty the appointment of an individual to the office of sheriff principal only if the individual is qualified for appointment (see section 14).
- (4) Subsection (3) does not affect the operation of section 11 of the Judiciary and Courts (Scotland) Act 2008 (recommendation by the Judicial Appointments Board for Scotland).
- (5) In addition to the jurisdiction and powers that attach specifically to the office of sheriff principal, the sheriff principal of a sheriffdom may also exercise in the sheriffdom the jurisdiction and powers that attach to the office of sheriff.
- (6) Subsection (5) is subject to any provision, express or implied, to the contrary in any other enactment.

4 Sheriffs

- (1) For each sheriffdom, there are to continue to be judicial officers each to be known as a “sheriff” of the sheriffdom.

Status: This is the original version (as it was originally enacted).

- (2) It is for Her Majesty to appoint an individual to the office of sheriff.
- (3) The First Minister may, under section 95(4) of the Scotland Act 1998, recommend to Her Majesty the appointment of an individual to the office of sheriff only if the individual is qualified for appointment (see section 14).
- (4) Subsection (3) does not affect the operation of section 11 of the Judiciary and Courts (Scotland) Act 2008 (recommendation by the Judicial Appointments Board for Scotland).

5 Summary sheriffs

- (1) For each sheriffdom, there are to be judicial officers each to be known as a “summary sheriff” of the sheriffdom.
- (2) It is for Her Majesty to appoint an individual to the office of summary sheriff.
- (3) Her Majesty may appoint an individual only if the individual has been recommended for appointment by the First Minister.
- (4) The First Minister may recommend to Her Majesty the appointment of an individual only if the individual is qualified for appointment (see section 14).
- (5) Before making a recommendation under subsection (3), the First Minister must consult the Lord President of the Court of Session.
- (6) Subsection (4) does not affect the operation of section 11 of the Judiciary and Courts (Scotland) Act 2008 (recommendation by the Judicial Appointments Board for Scotland).