



Courts Reform (Scotland) Act 2014

2014 asp 18

PART 2

THE SHERIFF APPEAL COURT

CHAPTER 1

ESTABLISHMENT AND ROLE

46 The Sheriff Appeal Court

- (1) There is established a court of law to be known as the Sheriff Appeal Court.
- (2) The Court consists of judges each to be known as an Appeal Sheriff.

Commencement Information

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| 11 | S. 46 in force at 1.4.2015 for specified purposes by S.S.I. 2015/77, art. 2(2)(3), Sch. |
| 12 | S. 46 in force at 22.9.2015 in so far as not already in force by S.S.I. 2015/247, art. 2, Sch. |

47 Jurisdiction and competence

- (1) The Sheriff Appeal Court has jurisdiction and competence to hear and determine appeals to such extent as is provided by or under—
 - (a) this Act, or
 - (b) any other enactment.
- (2) The Court's jurisdiction and competence is exercisable by one or more of the Appeal Sheriffs at sittings of the Court.
- (3) The Court has all such powers as are, under the law of Scotland, inherently possessed by a court of law for the purposes of the discharge of its jurisdiction and competence and giving full effect to its decisions.
- (4) Subsection (3) is subject to any other provision of this Act or any other enactment that restricts or excludes any power of the Court in determining or disposing of an appeal.

Changes to legislation: Courts Reform (Scotland) Act 2014, CHAPTER 1 is up to date with all changes known to be in force on or before 09 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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Commencement Information

- I3** S. 47 in force at 22.9.2015 for specified purposes by S.S.I. 2015/247, art. 2, Sch.
I4 S. 47 in force at 1.1.2016 in so far as not already in force by S.S.I. 2015/378, art. 2, Sch.

48 Status of decisions of the Sheriff Appeal Court in precedent

- (1) A decision of the Sheriff Appeal Court on the interpretation or application of the law is binding—
- (a) in proceedings before a sheriff anywhere in Scotland,
 - (b) in proceedings before a justice of the peace court anywhere in Scotland,
 - (c) in proceedings before the Sheriff Appeal Court, except in a case where the Court hearing the proceedings is constituted by a greater number of Appeal Sheriffs than those constituting the Court which made the decision.
- (2) In subsection (1)(a), the reference to proceedings before a sheriff includes, in the case of criminal proceedings, a reference to solemn proceedings before a sheriff and jury.

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Commencement Information

- I5** S. 48 in force at 22.9.2015 for specified purposes by S.S.I. 2015/247, art. 2, Sch.
I6 S. 48 in force at 1.1.2016 in so far as not already in force by S.S.I. 2015/378, art. 2, Sch.

Changes to legislation:

Courts Reform (Scotland) Act 2014, CHAPTER 1 is up to date with all changes known to be in force on or before 09 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- sch. 1 para. 5A and cross-heading inserted by [2020 asp 9 s. 9](#)
- sch. 1 para. 2(g)(h) inserted by [2021 asp 16 s. 15\(8\)](#)