



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 9

#### JUSTICE OF THE PEACE COURTS

#### **127 Establishing, relocating and disestablishing justice of the peace courts**

- (1) Section 59 of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (establishing etc. JP courts) is amended in accordance with subsections (2) and (3).
- (2) In each of subsections (2) and (6), after “may” insert “, following submission of a proposal under subsection (7),”.
- (3) For subsections (7) and (7A) substitute—
  - “(7) The Scottish Courts and Tribunals Service may, with the agreement of the Lord President, submit a proposal to the Scottish Ministers for the making of an order under subsection (2) or (6).
  - (7A) Before submitting a proposal to the Scottish Ministers, the Scottish Courts and Tribunals Service must consult such persons as it considers appropriate.
  - (7B) If, following submission of a proposal, the Scottish Ministers decide to make an order, they must have regard to the proposal in deciding what provision to make in the order.
  - (7C) The Scottish Ministers may make an order under subsection (2) or (6) only with the consent of—
    - (a) the Lord President, and
    - (b) the Scottish Courts and Tribunals Service.”.
- (4) In section 81(3)(a) of that Act (orders under the Act that are subject to affirmative procedure), after “56” insert “, 59(2) or (6)”.