



Courts Reform (Scotland) Act 2014

2014 asp 18

PART 9

JUSTICE OF THE PEACE COURTS

128 Abolition of the office of stipendiary magistrate

- (1) The office of stipendiary magistrate is abolished.
- (2) Subsection (3) applies to a person who, immediately before this section comes into force, holds office as a full-time stipendiary magistrate.
- (3) The person is to be appointed, by virtue of this subsection, as a summary sheriff unless the person declines the appointment.
- (4) Subsection (3) applies regardless of whether the person is qualified for appointment as a summary sheriff.
- (5) Subsection (6) applies to a person who, immediately before this section comes into force, holds office as a part-time stipendiary magistrate.
- (6) The person is to be appointed, by virtue of this subsection, as a part-time summary sheriff unless the person declines the appointment.
- (7) Subsection (6) applies regardless of whether the person is qualified for appointment as a part-time summary sheriff.
- (8) A person appointed—
 - (a) as a summary sheriff by virtue of subsection (3) is to be treated for all purposes as if appointed as such under section 5(2),
 - (b) as a part-time summary sheriff by virtue of subsection (6) is to be treated for all purposes as if appointed as such under section 10(1).

Commencement Information

II S. 128 in force at 1.4.2016 by [S.S.I. 2016/13](#), art. 2, [Sch.](#) (with art. 3)

Changes to legislation:

Courts Reform (Scotland) Act 2014, Section 128 is up to date with all changes known to be in force on or before 26 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.

[View outstanding changes](#)

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\(8\)](#)