



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 1

#### SHERIFF COURTS

#### CHAPTER 4

#### COMPETENCE AND JURISDICTION

*Sheriffs: civil competence and jurisdiction*

#### **39 Exclusive competence**

- (1) This section applies to any civil proceedings—
  - (a) which a sheriff has competence to deal with, and
  - (b) in which—
    - (i) one or more orders of value are sought, and
    - (ii) the aggregate total value of all such orders sought, exclusive of interest and expenses, does not exceed £100,000.
- (2) The proceedings may be brought only in the sheriff court and may not be brought in any other court.
- (3) This section does not apply to family proceedings unless the only order sought in the proceedings is an order for payment of aliment.
- (4) Subsection (2) is subject to section 92(7) (remit of cases in exceptional circumstances to the Court of Session).
- (5) The Scottish Ministers may by order substitute another sum for the sum for the time being specified in subsection (1)(b)(ii).
- (6) For the purposes of this Act, an order is an order of value if it is—
  - (a) an order for payment of money, or
  - (b) an order determining rights in relation to property.

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*Status: Point in time view as at 01/04/2015. This version of this provision has been superseded.*

*Changes to legislation: Courts Reform (Scotland) Act 2014, Section 39 is up to date with all changes known to be in force on or before 03 April 2024. 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)*

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- (7) Provision may be made by the Court of Session by act of sederunt for determining, for the purposes of this Act—
- (a) the value of an order,
  - (b) the aggregate total value of all the orders of value sought in any proceedings.
- (8) An act of sederunt under subsection (7) may make different provision for different purposes.

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**Commencement Information**

**II** S. 39 in force at 1.4.2015 for specified purposes by [S.S.I. 2015/77](#), art. 2(2)(3), [Sch.](#)

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