



Courts Reform (Scotland) Act 2014

2014 asp 18

PART 1

SHERIFF COURTS

CHAPTER 4

COMPETENCE AND JURISDICTION

Sheriffs: civil competence and jurisdiction

42 All-Scotland jurisdiction: further provision

- (1) This section applies in relation to a sheriff sitting at a sheriff court specified in an order under section 41(1) (referred to in this section as a “specified sheriff court”).
- (2) The sheriff’s all-Scotland jurisdiction is concurrent with, and alternative to, the sheriff’s local jurisdiction.
- (3) The sheriff’s “all-Scotland jurisdiction” is the extended jurisdiction in relation to specified proceedings that the sheriff has by virtue of the order under section 41(1).
- (4) The sheriff’s “local jurisdiction” is the jurisdiction that the sheriff would have in relation to specified proceedings apart from the order under section 41(1).
- (5) A party bringing specified proceedings in the specified sheriff court must indicate, at the time the proceedings are brought, whether they are for determination in the exercise of a sheriff’s all-Scotland jurisdiction or a sheriff’s local jurisdiction.
- (6) Subsection (5) does not affect any power that a sheriff has to decline jurisdiction in any case.
- (7) In this Act, references to an “all-Scotland sheriff court” are references to a specified sheriff court so far as the court is constituted by a sheriff sitting in the exercise of the sheriff’s all-Scotland jurisdiction.
- (8) For the purposes of any provision of this Act, or any other enactment, relating to the transfer or remit of proceedings between courts, a specified sheriff court is, when

Status: This is the original version (as it was originally enacted).

constituted as an all-Scotland sheriff court, taken to be a separate sheriff court from the court as constituted by a sheriff sitting in the exercise of the sheriff's local jurisdiction.

- (9) In this section, “specified proceedings” means, in relation to a specified sheriff court, civil proceedings of a type that are specified in relation to that court in the order under section 41(1).