



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 1

#### SHERIFF COURTS

#### CHAPTER 2

#### JUDICIARY OF THE SHERIFFDOMS

##### *Temporary and part-time judiciary*

#### **6 Temporary sheriff principal**

- (1) Subsection (2) applies where, in relation to a sheriffdom—
  - (a) a vacancy occurs in the office of sheriff principal,
  - (b) the Lord President of the Court of Session believes that the sheriff principal is unable to perform all or some of the functions of the office, or
  - (c) the sheriff principal rules that he or she is precluded from performing all or some of those functions.
- (2) If the Lord President so requests, the Scottish Ministers must appoint—
  - (a) a person holding the office of sheriff (whether of the same or another sheriffdom), or
  - (b) a qualifying former sheriff principal (whether of the same or another sheriffdom),to act as sheriff principal of the sheriffdom.
- (3) A “qualifying former sheriff principal” is an individual who—
  - (a) ceased to hold that office other than by virtue of an order under section 25, and
  - (b) has not reached the age of 75.
- (4) The appointment may be made for the purposes of the exercise of—
  - (a) all of the sheriff principal’s functions, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) only those functions that the sheriff principal is unable to perform or is precluded from performing.
- (5) An individual appointed under subsection (2) is to be known as a “temporary sheriff principal”.
- (6) The Lord President may request the appointment of a temporary sheriff principal for a sheriffdom in the circumstances specified in subsection (1)(a) only if the Lord President considers such an appointment to be necessary or expedient in order to avoid a delay in the administration of justice in the sheriffdom.