



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 3

#### CIVIL PROCEDURE

#### CHAPTER 1

#### SHERIFF COURT

#### *Simple procedure*

#### **78 Transfer of cases to simple procedure**

- (1) This section applies to any civil proceedings in the sheriff court that are being conducted otherwise than as a simple procedure case.
- (2) The parties to the proceedings may, at any stage, make a joint application for the proceedings to continue subject to simple procedure if the proceedings are of a type that, if brought at the time when the application is made—
  - (a) would or could be brought subject to simple procedure by virtue of any enactment, or
  - (b) would or could be so brought but for the fact that a financial limit specified in section 72(3) or 74(2) is exceeded.
- (3) Where such a joint application is made, the sheriff must direct that the proceedings are to continue subject to simple procedure for all purposes (including appeal).

#### **Commencement Information**

**11** S. 78 in force at 28.11.2016 for specified purposes by S.S.I. 2016/291, art. 2, **sch.** (with art. 3(1)(4))

**Status:**

Point in time view as at 28/11/2016.

**Changes to legislation:**

Courts Reform (Scotland) Act 2014, Section 78 is up to date with all changes known to be in force on or before 24 April 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.