



Law Reform (Miscellaneous Provisions) (Scotland) Act 1985

1985 CHAPTER 73

Miscellaneous and general

47 Transfer of sheriff clerks and procurators fiscal.

In section 1 of the ^{M1}Sheriff Clerks and Legal Officers (Scotland) Act 1927 (appointment of sheriff clerk and procurator fiscal)—

- (a) in subsection (3), after the words “foregoing subsections” there shall be inserted the words “ but subject to subsections (4) and (5) below ”; and
- (b) after subsection (3) there shall be added the following subsections—

“(4) The right vested—

- (a) in the Secretary of State under subsection (1) above shall include the right to transfer the sheriff clerk of one sheriff court district to an office, whether of sheriff clerk or (however styled) of sheriff clerk depute, in another sheriff court district;
- (b) in the Lord Advocate under subsection (2) above shall include the right to transfer the procurator fiscal of one district to an office, whether of procurator fiscal or (however styled) of procurator fiscal depute, in another district,

where in the opinion of the Secretary of State or, as the case may be, of the Lord Advocate the transfer is for the purpose of securing efficient organisation and administration.

- (5) It is hereby declared that, for the purposes of subsection (3) above, a transfer under subsection (4) above is not a removal from office.”.

Marginal Citations

M1 1927 c. 35

Changes to legislation:

Law Reform (Miscellaneous Provisions) (Scotland) Act 1985, Section 47 is up to date with all changes known to be in force on or before 15 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.

[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):

- s. 8(5A) inserted by [2007 asp 3 s. 48\(3\)](#)