STATUTORY INSTRUMENTS

1986 No. 1836 (S. 133)

DISTRICT COURTS, SCOTLAND

The Disestablishment of District Court (Orkney) Order 1986

Made - - - -	*24th October* 1986
Laid before Parliament	*10th November* 1986
Coming into Operation	*31st December* 1986

Whereas it appears to the Secretary of State that there is insufficient business for the district court in the commission area of Orkney and that such insufficiency of business is likely to continue;

Now therefore the Secretary of State, in exercise of the powers conferred on him by section 1A(1) and (3) of the District Courts (Scotland) Act 1975(**a**) and of all other powers enabling him in that behalf, and after consulting the Orkney Islands Council and such other persons as appear to him to have an interest in this order, hereby makes the following order:-

1. This order may be cited as the Disestablishment of District Court (Orkney) Order 1986 and shall come into operation on 31st December 1986.

2. The district court for the commission area of Orkney shall cease to exist on 31st December 1986.

3. On and after 31st December 1986 the power of a district court to make an order under section 49(2) of the Civic Government (Scotland) Act 1982(**b**) shall, in any case which would but for this order have fallen within the jurisdiction of the district court for the commission area of Orkney, be exercised by the sheriff.

4. Any records or documents held by the clerk of the district court for the commission area of Orkney and relating to proceedings in any existing court within the meaning of section 1 of the District Courts (Scotland) Act 1975 shall vest in Orkney Islands Council.

Ian Lang,
Parliamentary Under Secretary of State,
Scottish Office.

New St. Andrew's House,
Edinburgh.
24th October 1986.

(**a**) 1975 c.20; section 1A was inserted by section 33 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73).
(**b**) 1982 c.45.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order disestablishes the district court for the Orkney Islands Area. Jurisdiction to deal with summary criminal proceedings arising in that area will therefore be exercised solely by the sheriff. This is already what happens in practice.

Article 3 transfers to the sheriff a power which at present belongs exclusively to the district court. Article 4 makes consequential provision regarding legal responsibility for records.

Printed by HMSO, Edinburgh Press
800 (237983) O82 C9 11/86

45p net

ISBN 0 11 067836 2