Draft Order in Council laid before the Scottish Parliament under section 41(5) of the Sheriff Courts (Scotland) Act 1971, for approval by resolution of the Scottish Parliament.

D R A F T S C O T T I S H S T A T U T O R Y I N S T R U M E N T S

2007 No.

SHERIFF COURT

The Sheriff Courts (Scotland) Act 1971 (Privative Jurisdiction and Summary Cause) Order 2007

Made - - - - *2007*

Coming into force - - *14th January 2008*

At the Court at Buckingham Palace, the day of 2007

Present,

The Queen's Most Excellent Majesty in Council

This Order is made in exercise of the powers conferred by sections 41 and 43 of the Sheriff Courts (Scotland) Act 1971(**a**) and all other powers enabling Her to do so.

In accordance with section 41(5) of that Act a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Accordingly, Her Majesty is pleased, by and with the advice of Her Privy Council, to order as follows.

Citation and commencement

1. This Order may be cited as the Sheriff Courts (Scotland) Act 1971 (Privative Jurisdiction and Summary Cause) Order 2007 and comes into force on 14th January 2008.

Variation in limit of privative jurisdiction of sheriff court

2. In section 31 of the Sheriff Courts (Scotland) Act 1971, for the sum of one thousand five hundred pounds(**b**) substitute the sum of £5000.

(**a**) 1971 c.58; section 41(2) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c.55), Schedule 3.

(**b**) The sum specified in section 31 was substituted by S.I. 1976/900 and 1988/1993.

Variation in limit of summary cause

3. Paragraphs (a), (b) and (c) of section 35(1) of the Sheriff Courts (Scotland) Act 1971 are amended by substituting for the sum of one thousand five hundred pounds(**a**) the sum of £5000.

Savings

4. The amendments made by articles 2 and 3 of this Order shall not apply in relation to any proceedings commenced before 14th January 2008.

Revocation

5. The Sheriff Courts (Scotland) Act 1971 (Privative Jurisdiction and Summary Cause) Order 1988(**b**) is revoked.

Clerk of the Privy Council

2007

(**a**) Paragraphs (a), (b) and (c) of section 35(1) were amended by S.I. 1988/1993.
(**b**) S.I. 1988/1993.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order raises the limit of the privative (or exclusive) jurisdiction of the sheriff court and the limit of the summary cause from £1500 to £5000. The new limits do not apply to proceedings commenced before the Order comes into force.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

SHERIFF COURT

The Sheriff Courts (Scotland) Act 1971 (Privative Jurisdiction and Summary Cause) Order 2007

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