SCOTTISH STATUTORY INSTRUMENTS

2009 No. 409

JUSTICE OF THE PEACE COURTS

The Justice of the Peace Courts (Sheriffdom of North Strathclyde) etc. Amendment Order 2009

Made - - - -	*19th November 2009*
Laid before the Scottish Parliament	*20th November 2009*
Coming into force - -	*14th December 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 64(1), 65(5) and 81(2) of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007(**a**) and all other powers enabling them to do so.

In accordance with section 64(3) of that Act they have consulted with the Sheriff Principal for the Sheriffdom of North Strathclyde and The Renfrewshire Council.

Citation and commencement

1. This Order may be cited as the Justice of the Peace Courts (Sheriffdom of North Strathclyde) etc. Amendment Order 2009 and comes into force on 14th December 2009.

Amendments to the Justice of the Peace Courts (Sheriffdom of North Strathclyde) etc. Order 2009

2.—(1) The Justice of the Peace Courts (Sheriffdom of North Strathclyde) etc. Order 2009(**b**) is amended in accordance with this article.

(2) After article 8 insert—

"**Transfer of property, rights and liabilities**

9.—(1) All the property, rights and liabilities of the local authority specified in column 1 of Schedule 4 to this Order, in relation to the heritable property specified in column 2 of that Schedule, are transferred to and vest in the Scottish Ministers on the relevant date.

(2) The transfer, by virtue of this article, of any property, rights and liabilities to the Scottish Ministers shall not affect the validity of anything done (or having effect as if done) by or in relation to that local authority, so far as it relates to any property, rights and liabilities transferred by virtue of this Article, before the relevant date.

(3) Anything (including legal proceedings) which, on the relevant date, is in the process of being done by or in relation to that local authority, so far as it relates to any property,

(**a**) 2007 asp 6.
(**b**) S.S.I. 2009/331.

rights and liabilities transferred by virtue of this article, shall be continued by or in relation to the Scottish Ministers.

(4) Anything done (or having effect as if done) by or in relation to the local authority for the purposes of or in connection with any property, rights and liabilities transferred to the Scottish Ministers by virtue of this article shall, if in force on the relevant date, have effect as if done by or in relation to the Scottish Ministers in so far as that is required for continuing its effect after that date.".

(3) After Schedule 3 insert—

"SCHEDULE 4

Article 9

TRANSFER OF PROPERTY, RIGHTS AND LIABILITIES

Column 1 (local authority)	*Column 2 (heritable property)*
The Renfrewshire Council	ALL and WHOLE that plot or area of ground in the County of Renfrew extending to Eight hundred square metres (800 square metres) or thereby designated by the local authority as the District Court before the making of this Order all as shown delineated in red on the plan ("the Plan") which is signed by Kenny MacAskill, Cabinet Secretary for Justice and a member of the Scottish Executive, and marked "Plan referred to in the Justice of the Peace Courts (Sheriffdom of North Strathclyde) etc. Amendment Order 2009", a copy of which is deposited in the office of the Scottish Government Criminal Justice Directorate, St Andrew's House, Regent Road, Edinburgh, EH1 3DG UNDER EXCEPTION of the plant room and production rooms belonging to Strathclyde Police and forming part of the Police Station, Mill Street, Paisley PA1 1JU insofar as they lie beneath the said plot or area of ground hereinbefore described; Which plot or area of ground under exception as aforesaid forms part and portion of ALL and WHOLE those subjects on the west side of Mill Street, Paisley and on the east side of Cotton Street, Paisley registered in the Land Register of Scotland under Title Number REN119733; TOGETHER WITH (One) the subjects known as and forming Renfrewshire District Court, Renfrewshire House, Cotton Street, Paisley PA1 1ES and the whole other buildings and erections thereon; (Two) the whole parts, privileges and pertinents thereof; (Three) the whole mines, metals and minerals pertaining thereto; (Four) the fittings and fixtures in and on the said property hereby described, and (Five) the whole right, title and interest, present and future, in and to the said property.

"

KENNY MACASKILL
A member of the Scottish Executive

St Andrew's House,
Edinburgh
19th November 2009

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Justice of the Peace Courts (Sheriffdom of North Strathclyde) etc. Order 2009 ("the 2009 Order").

The 2009 Order makes provision for the establishment of JP courts in the Sheriffdom of North Strathclyde (and the associated disestablishment of the existing district courts). The majority of the provisions of that Order will come into force on 14th December 2009, however, certain transitional provisions will come into force in respect of the establishment of the JP courts on 23rd November 2009.

Article 9 is inserted to make provision for the transfer of property, rights and liabilities to the Scottish Ministers of the heritable property which is specified in the newly inserted Schedule 4. A plan delineating the extent of the relevant heritable property described in Schedule 4 is held by the Scottish Government Criminal Justice Directorate at St Andrew's House, Regent Road, Edinburgh, EH1 3DG.

References in these newly inserted provisions to the "relevant date" will attract the definition given to that term in article 1 of the 2009 Order. "Relevant date" is defined there as meaning 14th December 2009.

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