

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: Crown Suits (Scotland) Act 1857 (c.44). (See end of Document for details)

SCHEDULES

SCHEDULE 8

MODIFICATIONS OF ENACTMENTS

Commencement Information

- II** Sch. 8 wholly in force at 1.4.2000; Sch. 8 partly in force at Royal Assent see s. 130(1); specified provisions of Sch. 8 in force at 6.5.1999, 20.5.1999, 1.7.1999 and 1.4.2000 by [S.I. 1998/3178](#), [arts. 2\(2\)](#), 3.

Crown Suits (Scotland) Act 1857 (c.44)

- 2 (1) The Crown Suits (Scotland) Act 1857 is amended as follows.
- (2) In section 1 (Crown suits may be brought by or against Lord Advocate)—
- (a) after “Crown” there is inserted “ (including the Scottish Administration) ”, and
- (b) for “Her Majesty’s Advocate for the time being” there is substituted “ the appropriate Law Officer ”.
- (3) In section 2 (authority of Crown required)—
- (a) for “Her Majesty’s Advocate” there is substituted “ the appropriate Law Officer ”, and
- (b) after “Majesty” there is inserted “ of the part of the Scottish Administration ”.
- (4) In section 3 (absence of authority cannot be founded upon), for “Her Majesty’s Advocate” there is substituted “ the appropriate Law Officer ”.
- (5) After section 4 there is inserted—

“4A Meaning of “the appropriate Law Officer”.

In this Act “the appropriate Law Officer” means—

- (a) the Lord Advocate, where the action, suit or proceeding is on behalf of or against any part of the Scottish Administration, and
- (b) the Advocate General for Scotland, in any other case.”
- (6) In section 5 (change of Lord Advocate not to affect proceedings)—
- (a) for “Her Majesty’s Advocate” there is substituted “ the Lord Advocate or the Advocate General for Scotland ”, and
- (b) for “the office of Her Majesty’s Advocate” there is substituted “ that office ”.

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