



# Scotland Act 2012

## 2012 CHAPTER 11

### PART 4

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **40 Interpretation**

In this Act “the 1998 Act” means the Scotland Act 1998.

#### **41 Orders**

Any power to make an order conferred by this Act is exercisable by statutory instrument.

#### **42 Power to make consequential, transitional and saving provision**

- (1) The Secretary of State may by order make provision consequential on any provision of Part 1 or 2 or the preceding provisions of this Part.
- (2) The Secretary of State may by order make transitional or saving provision in connection with the coming into force of any provision of Part 1 or 2 or the preceding provisions of this Part.
- (3) The Treasury may by order make—
  - (a) provision consequential on section 29 or 31;
  - (b) transitional or saving provision in connection with the coming into force of any provision of Part 3.
- (4) Provision under this section may amend, repeal or revoke an enactment passed or made before this Act is passed.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In this section “enactment” includes an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978) and an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament.
- (6) A statutory instrument containing an order under subsection (1) or (2) which includes provision amending or repealing any provision of an Act or an Act of the Scottish Parliament may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (7) Any other statutory instrument containing an order under subsection (1) or (2) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) A statutory instrument containing an order under subsection (3) which includes provision amending or repealing any provision of an Act may not be made unless a draft of the instrument has been laid before and approved by a resolution of the House of Commons.
- (9) Any other statutory instrument containing an order under subsection (3) is subject to annulment in pursuance of a resolution of the House of Commons.

#### **43 Financial provisions**

- (1) There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums payable under any other Act out of money so provided.
- (2) There shall be paid into the Consolidated Fund any sums received by a Minister of the Crown by virtue of this Act which are not payable into the National Loans Fund.

#### **44 Commencement**

- (1) The following come into force on the day on which this Act is passed—
  - (a) sections 40 to 43;
  - (b) this section;
  - (c) section 45.
- (2) The following provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—
  - (a) section 11;
  - (b) Part 3, except section 25(7) (and Schedule 2) and section 32.
- (3) Subsection (2)(b) is subject to the provision made in the following sections as to how those sections have effect—
  - (a) sections 25(1) to (6) and 26;
  - (b) sections 28 and 29;
  - (c) sections 30 and 31.
- (4) The following provisions come into force on such day as the Treasury may by order appoint—
  - (a) section 25(7) and Schedule 2;
  - (b) section 32.
- (5) The other provisions of this Act come into force on such day as the Secretary of State may by order appoint.

(6) The Secretary of State or the Treasury may appoint different days for different purposes.

**45 Short title**

This Act may be cited as the Scotland Act 2012.