

**2016 No. 256 (C. 23)**

**EVIDENCE**

**The Apologies (Scotland) Act 2016 (Commencement and  
Transitory Provision) Regulations 2016**

<i>Made</i>	- - - -	<i>6th September 2016</i>
<i>Laid before the Scottish Parliament</i>		<i>8th September 2016</i>
<i>Coming into force</i>	- -	<i>22nd September 2016</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 5(2) to (4) of the Apologies (Scotland) Act 2016(a) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Apologies (Scotland) Act 2016 (Commencement and Transitory Provision) Regulations 2016 and come into force on 22nd September 2016.

(2) In these Regulations “the Act” means the Apologies (Scotland) Act 2016.

**Appointed days**

**2.**—(1) 22nd September 2016 is the day appointed for the coming into force of section 2(4) to (6) of the Act.

(2) 19th December 2016 is the day appointed for the coming into force of all remaining provisions of the Act insofar as not already in force.

**Transitory provision**

**3.** The reference in section 2(1)(c) of the Act to inquiries under the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016(b) includes reference to inquiries under the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976(c).

*ANNABELLE EWING*  
Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
6th September 2016

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(a) 2016 asp 5.  
(b) 2016 asp 2.  
(c) 1976 c.14.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring the Apologies (Scotland) Act 2016 (“the Act”) into force in so far as not already in force.

Regulation 2(1) brings into force on 22nd September 2016 the regulation making power in section 2(4) to (6) of the Act in order to allow regulations to be made prior to the coming into force of the remainder of the Act.

Regulation 2(2) brings the remainder of the Act into force on 19th December 2016.

Regulation 3 makes transitory provision to ensure that the Act does not apply to fatal accident inquiries that are held under the existing law. Section 2(1)(c) of the Act provides that the Act does not apply to inquiries under the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (“the 2016 Act”). The 2016 Act will repeal the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976 (“the 1976 Act”) and enact new provisions to govern the system of fatal accident inquiries in Scotland. As the 2016 Act is not yet fully in force, regulation 3 provides for the exception in section 2(1)(c) of the Act to cover inquiries under the 1976 Act.

The Bill for the Act received Royal Assent on 23rd February 2016. Sections 5 and 6 came into force on the following day.

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£4.25

S2016090721 09/2016 19585

<http://www.legislation.gov.uk/id/ssi/2016/256>

ISBN 978-0-11-103261-9



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