

## SCHEDULES

### SCHEDULE 22

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART I

##### TRANSITIONAL PROVISIONS

###### *General*

- 1 —The re-enactment of provisions in, and the consequent repeal of those provisions  
by this Act, does not affect the continuity of those provisions.
- 2 —In so far as—
- (a) any requirement, prohibition, determination, order or regulation made by  
virtue of an enactment repealed by this Act, or
  - (b) any direction or notice given by virtue of such an enactment, or
  - (c) any proceedings begun by virtue of such an enactment, or
  - (d) anything done or having effect as if done,
- could, if a corresponding enactment in this Act were in force at the relevant time,  
have been made, given, begun or done by virtue of the corresponding enactment,  
it shall, if effective immediately before the corresponding enactment comes into  
force, continue to have effect thereafter as if made, given, begun or done by virtue  
of that corresponding enactment.
- 3 —Where any enactment passed before this Act, or any instrument or document  
refers either expressly or by implication to an enactment repealed by this Act the  
reference shall (subject to its context) be construed as or as including a reference  
to the corresponding provision of this Act.
- 4 —Where any period of time specified in any enactment repealed by this Act is  
current at the commencement of this Act, this Act has effect as if its corresponding  
provision had been in force when that period began to run.
- 5 (1) The general rule is that the provisions of this Act apply, in accordance with the  
foregoing paragraphs, to matters arising before the commencement of this Act as to  
matters arising after that commencement.
- (2) The general rule has effect subject to any express provision to the contrary, either in  
this Schedule or in connection with the substantive provision in question.
- (3) The general rule does not mean that the provisions of this Act apply to cases to  
which the corresponding repealed provisions did not apply by virtue of transitional  
provision made in connection with the commencement of the repealed provisions  
(such transitional provisions, if not specifically reproduced, are saved by paragraph  
8).

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*Status: This is the original version (as it was originally enacted).*

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- (4) The general rule does not apply so far as a provision of this Act gives effect to an amendment made in pursuance of a recommendation of the Scottish Law Commission.