

SCHEDULES

SCHEDULE 8

MODIFICATIONS OF ENACTMENTS

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”.