



London Olympic Games and Paralympic Games Act 2006

2006 CHAPTER 12

General

37 Scotland

- (1) In its application to Scotland, this Act has effect subject to the following modifications.
- (2) “Enactment”, except in section 9(2)(d)(iv), includes an enactment contained in, or in an instrument under, an Act of the Scottish Parliament.
- (3) “Local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39).
- (4) “Local planning authority” means a planning authority for the purposes of the Town and Country Planning (Scotland) Act 1997 (c. 8).
- (5) “Police authority” includes a joint police board constituted under an amalgamation scheme made under section 19 of the Police (Scotland) Act 1967 (c. 77).
- (6) [^{F1}References to costs are to be read as if they were references to expenses.]
- (7) References to a highway are to be read as if they were references to a road within the meaning of the Roads (Scotland) Act 1984 (c. 54).
- (8) In sections 19 to 30—
 - (a) references to the Secretary of State ^{F2}... are to be read as if they were references to the Scottish Ministers, and
 - (b) references [^{F3}(other than in sections 20 and 26)] to a resolution of either House of Parliament are to be read as if they were references to a resolution of the Scottish Parliament.
- (9) In section 20(1)(b), the reference to Chapter III of Part VIII of the Town and Country Planning Act 1990 (c. 8) is to be read as if it were a reference to Chapter 3 of Part 7 of the Town and Country Planning (Scotland) Act 1997.

Changes to legislation: There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Section 37. (See end of Document for details)

[^{F4}(9A) Sections 20 and 26 are to have effect as if, in each case, for subsections (2) and (2A) there were substituted—

“(2) Regulations under that section are subject to the affirmative procedure.

(2A) But if, in relation to regulations under that section other than the first regulations, the Scottish Ministers consider that by reason of urgency it is necessary that they be made without being approved in draft—

- (a) subsection (2) does not apply to the regulations, and
- (b) the regulations are instead subject to the negative procedure.”]

(10) In section 22(4)—

- (a) the references to a justice of the peace are to be read as if they were references to a sheriff, and
- (b) the reference to the application of a constable ^{F5}... is to be read as if it were a reference to the application of a procurator fiscal.

(11) [^{F6}In sections 22(5)(d) and 28(2)(d), the references to section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) are to be read as if they were references to section 21 of the Proceeds of Crime (Scotland) Act 1995 (c. 43).]

[^{F7}(12) In section 22, subsection (6) has effect as if there were substituted for it—

“(6) An article that is held by a constable (having been removed by or delivered to the constable) shall be returned when retention is no longer justified by a matter specified in subsection (5)(a) to (c), unless—

- (a) in the case of a perishable article, the article has ceased to be usable for trade, or
- (b) the court orders the article to be forfeited under Part 2 of the Proceeds of Crime (Scotland) Act 1995.

(6A) Subject to subsection (6), the article shall be treated as if acquired by the constable in the course of the investigation of an offence.

^{F8}(6B)”

(13) In section 28, subsection (4) has effect as if there were substituted for it—

“(4) An article that is held by a constable (having been removed by or delivered to the constable) shall be returned when retention is no longer justified by a matter specified in subsection (2)(a) to (c), unless—

- (a) in the case of a perishable article, the article has ceased to be usable for trade, or
- (b) the court orders the article to be forfeited under Part 2 of the Proceeds of Crime (Scotland) Act 1995.

(4A) Subject to subsection (4), the article shall be treated as if acquired by the constable in the course of the investigation of an offence.

^{F9}(4B)”

^{F10}(14)

^{F11}(15)

^{F12}(16)]

Changes to legislation: There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Section 37. (See end of Document for details)

Textual Amendments

- F1** S. 37(6) omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 1(10)(a)**, 10(1)
- F2** Words in s. 37 omitted (7.7.2010) by virtue of [Secretary of State for Culture, Olympics, Media and Sport Order 2010 \(S.I. 2010/1551\)](#), art. 1(2), **Sch. para. 8(1)(o)**
- F3** Words in s. 37(8)(b) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 2(5)**, 10(1)
- F4** S. 37(9A) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 2(6)**, 10(1)
- F5** Words in s. 37(10)(b) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 7(a)**
- F6** S. 37(11) omitted (E.W.S.) (14.2.2012) by virtue of [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 1(10)(b)**, 10(1)
- F7** S. 37(12)-(16) inserted (E.W.S.) (14.2.2012) by [London Olympic Games and Paralympic Games \(Amendment\) Act 2011 \(c. 22\)](#), **ss. 1(11)**, 10(1)
- F8** Words in s. 37(12) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 7(b)**
- F9** Words in s. 37(13) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 7(c)**
- F10** S. 37(14) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 7(d)**
- F11** S. 37(15) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 7(d)**
- F12** S. 37(16) omitted (2.12.2014) by virtue of [The Olympic Delivery Authority \(Dissolution\) Order 2014 \(S.I. 2014/3184\)](#), art. 1(2), **Sch. para. 7(d)**

Changes to legislation:

There are currently no known outstanding effects for the London Olympic Games and Paralympic Games Act 2006, Section 37.