Scotland Act 2016

2016 CHAPTER 11

PART 3

WELFARE BENEFITS AND EMPLOYMENT SUPPORT

General

32 Functions exercisable within devolved competence

(1) The Scotland Act 1998 ("the 1998 Act") has effect, in relation to any function so far as exercisable within devolved competence by virtue of a provision of section 22, 23, 24, 25, 26, 27 or 31, as if references to a "pre-commencement enactment" were to—

(a) an Act passed before or in the same session as the relevant date,

(b) any other enactment made before the relevant date,

(c) subordinate legislation under section 106 of the 1998 Act, to the extent that the legislation states that it is to be treated as a pre-commencement enactment,

but did not include the 1998 Act or this Act (or any amendment made by either of those Acts) or, subject to paragraph (c), an enactment comprised in subordinate legislation under either of those Acts.

(2) In this section—

(a) expressions used in the 1998 Act have the same meaning as in that Act;

(b) in relation to a provision of section 22, 23, 24, 25, 26, 27 or 31, the relevant date for any purpose is the date on which the provision comes into force for that purpose.

(3) In section 53 of the 1998 Act (general transfer of functions), after subsection (3) insert—

"(3A) But see sections 9, 32 and 51 of the Scotland Act 2016 (which give "pre-commencement enactment" a different meaning for functions exercisable within devolved competence by virtue of certain provisions of that Act)."

Status: *Point in time view as at 05/09/2016.*
Changes to legislation: *Scotland Act 2016, Section 32 is up to date with all changes known to be in force on or before 21 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Commencement Information

I1 S. 32 in force at 5.9.2016 by S.I. 2016/759, **reg. 3(i)**

Status:
Point in time view as at 05/09/2016.

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