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STATUTORY INSTRUMENTS

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**1999 No. 1748**

**CONSTITUTIONAL LAW  
DEVOLUTION, SCOTLAND**

The Scotland Act 1998 (Functions Exercisable  
in or as Regards Scotland) Order 1999

*Made* - - - - - *22nd June 1999*

*Coming into force* *30th June 1999*

THE SCOTLAND ACT 1998 (FUNCTIONS EXERCISABLE  
IN OR AS REGARDS SCOTLAND) ORDER 1999

1. Citation and commencement
  2. Interpretation
  3. General
  4. Prisoners etc.
  5. Fisheries and aquaculture
  6. Agriculture
  7. Marine dredging
  8. Functions not exercisable in or as regards Scotland: prisoners etc.
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SCHEDULE 1 — FUNCTIONS EXERCISABLE IN OR AS REGARDS  
SCOTLAND: GENERAL

1. Wireless Telegraphy Act 1949 (c. 54)
2. Pharmacy Act 1954 (c. 61)
3. Medicines Act 1968 (c. 67)
4. Taxes Management Act 1970 (c. 9)
5. Data Protection Act 1984 (c. 35)
6. Interception of Communications Act 1985 (c. 56)
7. Transport Act 1985 (c. 67)
8. Building Societies Act 1986 (c. 53)
9. Financial Services Act 1986 (c. 60)
10. Copyright, Designs and Patents Act 1988 (c. 48)
11. Education (Student Loans) Act 1990 (c. 6)

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12. Child Support Act 1991 (c. 48)
13. Social Security Administration Act 1992 (c. 5)
14. Finance (No.2) Act 1992 (c. 48)
15. Intelligence Services Act 1994 (c. 13)
16. Value Added Tax Act 1994 (c. 23)
17. Trade Marks Act 1994 (c. 26)
18. Reserve Forces Act 1996 (c. 14)
19. Social Security Act 1998 (c. 14)
20. Data Protection Act 1998 (c. 29)
21. Competition Act 1998 (c. 41)
22. Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)
23. Building Societies Appeal Tribunal Regulations 1987 (S.I. 1987/891)

SCHEDULE 2 — FUNCTIONS EXERCISABLE IN OR AS REGARDS  
SCOTLAND: PRISONERS – FUNCTIONS UNDER THE 1984  
ACT, THE 1993 ACT, THE 1997 ACT AND THE 1998 ORDER

1. Repatriation of Prisoners Act 1984
2. Prisoners and Criminal Proceedings (Scotland) Act 1993
3. Crime (Sentences) Act 1997
4. The Transfer of Prisoners (Restricted Transfers) (Channel Islands and Isle of Man) Order 1998

SCHEDULE 3 — FUNCTIONS EXERCISABLE IN OR AS REGARDS  
SCOTLAND: PRISONERS ETC. – FUNCTIONS UNDER THE  
1989 ACT AND THE 1993 ACT

PART I — TRANSFERRED PRISONERS WHO ARE SENTENCED ON OR  
AFTER 1ST OCTOBER 1993

1. Restricted transfers from Scotland to England and Wales
2. Restricted transfers from Scotland to Northern Ireland
3. Restricted transfers from Scotland to Guernsey or Jersey
4. Restricted transfers from Scotland to the Isle of Man

PART II — TRANSFERRED PRISONERS WHO ARE SENTENCED  
BEFORE 1ST OCTOBER 1993

5. Restricted transfers from Scotland to England and Wales
6. Restricted transfers from Scotland to Northern Ireland
7. Restricted transfers from Scotland to Guernsey or Jersey
8. Restricted transfers from Scotland to the Isle of Man

PART III — PRISONERS SUPERVISED BY PROBATION OFFICERS  
UNDER THE 1989 AND 1993 ACTS

9. Prisons (Scotland) Act 1989
10. Prisoners and Criminal Proceedings (Scotland) Act 1993

SCHEDULE 4 —

PART I — PRISONERS TRANSFERRED TO SCOTLAND

1. Restricted transfers from England and Wales to Scotland
2. Restricted transfers from Northern Ireland to Scotland
3. Restricted transfers from Jersey to Scotland
4. Restricted transfers from Guernsey to Scotland
5. Restricted transfers from the Isle of Man to Scotland

PART II — PRISONERS TRANSFERRED BEFORE THE  
COMMENCEMENT OF CHAPTER II OF PART II OF THE 1997  
ACT

6. Restricted transfers from England and Wales to Scotland

*Document Generated: 2023-05-26*

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Explanatory Note