
STATUTORY INSTRUMENTS

2012 No. 3073

**CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND**

The Scottish Administration (Offices) Order 2012

Made - - - - 12th December 2012
Laid before Parliament 19th December 2012
Laid before the Scottish
Parliament - - - - 19th December 2012
Coming into force in accordance with article 1(2) to (4)

At the Court at Buckingham Palace, the 12th day of December 2012

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 126(8)(b) of the Scotland Act 1998⁽¹⁾, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation, commencement and interpretation

- 1.—(1) This Order may be cited as the Scottish Administration (Offices) Order 2012.
- (2) Subject to paragraphs (3) and (4), this Order comes into force on 1st April 2013.
- (3) Articles 2(a) and 3 come into force on the day on which section 71 of the Police and Fire Reform (Scotland) Act 2012⁽²⁾ comes into force.
- (4) Articles 2(b) to (d) and 4 come into force on the day on which section 119 of the Police and Fire Reform (Scotland) Act 2012 comes into force.
- (5) In this Order “the 2005 Act” means the Fire (Scotland) Act 2005⁽³⁾.

Specification of offices

2. The following offices are specified for the purposes of section 126(8)(b) of the Scotland Act 1998 (offices in the Scottish Administration which are not ministerial offices)—

(1) 1998 c.46.
(2) 2012 asp 8.
(3) 2005 asp 5.

- (a) Her Majesty’s inspector of constabulary appointed under section 71(2) of the Police and Fire Reform (Scotland) Act 2012;
- (b) Her Majesty’s Chief Inspector of the Scottish Fire and Rescue Service appointed under section 43A(1)(a)(4) of the 2005 Act;
- (c) Her Majesty’s Inspector of the Scottish Fire and Rescue Service appointed under section 43A(1)(b) of the 2005 Act; and
- (d) Assistant Inspector of the Scottish Fire and Rescue Service appointed under section 43A(2) of the 2005 Act.

Revocations

3. In the Schedule to the Scottish Administration (Offices) Order 1999(5), the following entries in column 1, together with the corresponding entries in column 2, are revoked—

- (a) the entry relating to Her Majesty’s Chief Inspector of Constabulary; and
- (b) the entry relating to Her Majesty’s Inspector of Constabulary.

4. The Scottish Administration (Offices) Order 2005(6) is revoked.

Richard Tilbrook
Clerk of the Privy Council

(4) Section 119 of the Police and Fire Reform (Scotland) Act 2012 inserts section 43A.

(5) S.I. 1999/1127, amended by S.I. 2005/1467.

(6) S.I. 2005/1467.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies Her Majesty's Inspector of Constabulary and Her Majesty's Chief Inspector of the Scottish Fire and Rescue Service, Her Majesty's Inspector of the Scottish Fire and Rescue Service, Assistant Inspector of the Scottish Fire and Rescue Service as offices in the Scottish Administration which are not ministerial offices for the purposes of the Scotland Act 1998.

This Order also partially revokes the Scottish Administration (Offices) Order 1999 and revokes the Scottish Administration (Offices) Order 2005.

Section 71(2) of the Police and Fire Reform (Scotland) Act 2012 sets out the arrangements for appointment to the office of Her Majesty's inspector of constabulary.

Section 43A(1)(a) and (b) and (2) of the Fire (Scotland) Act 2005 set out the arrangements for appointment to the offices of Her Majesty's Chief Inspector of the Scottish Fire and Rescue Service, Her Majesty's Inspector of the Scottish Fire and Rescue Service and Assistant Inspector of the Scottish Fire and Rescue Service, respectively.