



Criminal Justice (Scotland) Act 2003

2003 asp 7

PART 12

MISCELLANEOUS AND GENERAL

General

84 Transitional provisions etc.

- (1) The Scottish Ministers may by order make such incidental, supplemental, consequential, transitional, transitory or saving provision as they consider necessary or expedient for the purposes, or in consequence, of this Act or of any order made under this Act.
- (2) An order under subsection (1) above may amend or repeal any enactment (including any provision of this Act).

85 Minor and consequential amendments

Schedule 4 to this Act, which contains minor amendments and amendments consequential on the provisions of this Act, has effect.

86 Repeals

The enactments mentioned in schedule 5 to this Act are repealed to the extent mentioned in the second column of that schedule.

87 Interpretation

- (1) In this Act—
 - “the 1989 Act” means the Prisons (Scotland) Act [1989 \(c. 45\)](#);
 - “the 1993 Act” means the Prisoners and Criminal Proceedings (Scotland) Act [1993 \(c. 9\)](#);
 - “the 1995 Act” means the Criminal Procedure (Scotland) Act [1995 \(c. 46\)](#); and

Status: This is the original version (as it was originally enacted).

“prescribed”, except in section 21(4), means prescribed by order made by the Scottish Ministers.

- (2) Any expression used in this Act and in the 1995 Act is, unless the context requires otherwise, to be construed in accordance with section 307 of that Act (interpretation).

88 Orders

- (1) Any power of the Scottish Ministers to make orders or regulations under this Act is exercisable by statutory instrument; and subject to subsection (2) a statutory instrument containing any such order or regulations, other than an order under section 89(2), is subject to annulment in pursuance of a resolution of the Parliament.
- (2) A statutory instrument containing an order under section—
- (a) 6(1)(b), 11(1), 14(1), 14(12) (including as applied to section 16(5)), 16(4) or 42(5); or
 - (b) 84 which amends or repeals any part of an Act,
- is not made unless a draft of the instrument has been laid before, and approved by resolution of, the Parliament.

89 Short title and commencement

- (1) This Act may be cited as the Criminal Justice (Scotland) Act 2003.
- (2) With the exception of—
- (a) this section;
 - (b) section 77 and schedule 3;
 - (c) section 84;
 - (d) in so far as relating to the Wildlife and Countryside Act 1981 (c. 69), section 86 and schedule 5;
 - (e) section 87; and
 - (f) section 88,
- this Act comes into force on such day as the Scottish Ministers may by order appoint.
- (3) Different days may be so appointed for different provisions and for different purposes.