



# Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

## PART 4

### GENERAL

#### **99 Meanings of “the 1967 Act”, “the 1995 Act” and “the 2003 Act”**

In this Act—

“the 1967 Act” means the Police (Scotland) Act [1967 \(c. 77\)](#);

“the 1995 Act” means the Criminal Procedure (Scotland) Act [1995 \(c. 46\)](#); and

“the 2003 Act” means the Sexual Offences Act [2003 \(c. 42\)](#).

#### **100 Equal opportunities**

- (1) A person discharging a function by virtue of this Act shall discharge that function in a manner that encourages equal opportunities and in particular the observance of the equal opportunity requirements.
- (2) In subsection (1), “equal opportunities” and “equal opportunity requirements” have the same meanings as in Section L2 of Part II of Schedule 5 to the Scotland Act [1998 \(c. 46\)](#).

#### **101 Modifications of enactments**

Schedule 6 (which contains modifications of enactments) has effect.

#### **102 Ancillary provision**

- (1) The Scottish Ministers may by order make such supplementary, incidental, consequential, transitory, transitional or saving provision as they consider necessary or expedient for the purposes of, in consequence of or for giving full effect to this Act or any provision of it.
- (2) An order under subsection (1) may modify any enactment (including this Act).

**103 Subordinate legislation**

- (1) The powers of the Scottish Ministers under this Act to make orders and regulations are exercisable by statutory instrument.
- (2) Each of those powers includes power to make—
  - (a) different provision for different purposes; and
  - (b) supplementary, incidental, consequential, transitory, transitional or saving provision.
- (3) Subject to subsections (4) and (5), a statutory instrument containing an order or regulations made under this Act is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) The following statutory instruments are not to be made unless a draft of the instrument has been laid before, and approved by, the Scottish Parliament—
  - (a) a statutory instrument containing an order under section 18(1) or 24(1), paragraph 10(10) of schedule 1, or paragraph 9(1) of schedule 2; or
  - (b) a statutory instrument containing an order under section 102(1) containing provisions which add to, replace or omit any part of the text of an Act.
- (5) Subsection (3) does not apply to an order under section 104(1).

**104 Commencement**

- (1) This Act comes into force in accordance with provision made by order by the Scottish Ministers.
- (2) Subsection (1) does not apply to this section or section 99, 100, 102, 103 or 105.

**105 Short title**

This Act may be cited as the Police, Public Order and Criminal Justice (Scotland) Act 2006.