



# Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

## PART 6

### GENERAL

#### **80 Modification of enactments**

The schedule makes provision for modification of enactments.

#### **81 Orders**

- (1) Any power of the Scottish Ministers to make orders under the preceding Parts of this Act is exercisable by statutory instrument.
- (2) And it includes power to—
  - (a) make such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers consider necessary or expedient for the purposes of or in connection with the order,
  - (b) make different provision for different purposes or areas.
- (3) But—
  - (a) a statutory instrument containing an order under section 46(1) or (2), 56 or 63(2) is not made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament,
  - (b) a statutory instrument containing any other order under the preceding Parts of this Act is subject to annulment in pursuance of a resolution of the Parliament.

#### **82 Ancillary provision**

- (1) The Scottish Ministers may by order made by statutory instrument make such incidental, supplemental, consequential, transitional, transitory or saving provision as they consider necessary or expedient for the purposes of or in connection with this Act.

- (2) An order under subsection (1) may modify any enactment (including this Act), instrument or document.
- (3) But—
  - (a) a statutory instrument containing an order under subsection (1) which adds to, replaces or omits any part of the text of an Act is not made unless a draft of the instrument has been laid before, and approved by resolution of, the Parliament,
  - (b) a statutory instrument containing any other order under that subsection is subject to annulment in pursuance of a resolution of the Parliament.

### **83 Interpretation**

- (1) In this Act—
  - “the 1971 Act” is the Sheriff Courts (Scotland) Act 1971 (c. 58),
  - “the 1975 Act” is the District Courts (Scotland) Act 1975 (c. 20),
  - “the 1995 Act” is the Criminal Procedure (Scotland) Act 1995 (c. 46).
- (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 (interpretation) of the 1995 Act.

### **84 Commencement and short title**

- (1) The provisions of this Act, except sections 81 to 83 and this section, come into force on such day as the Scottish Ministers may by order made by statutory instrument appoint.
- (2) An order under subsection (1) may—
  - (a) appoint different days for different provisions,
  - (b) include such transitional, transitory or saving provision as the Scottish Ministers consider necessary or expedient in connection with the provisions,
  - (c) make different provision for different purposes or areas.
- (3) This Act may be cited as the Criminal Proceedings etc. (Reform) (Scotland) Act 2007.