



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

2007 asp 6

## PART 6

### GENERAL

#### 81 Orders

- (1) Any power of the Scottish Ministers [<sup>F1</sup>or the Lord President of the Court of Session] 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 [<sup>F2</sup>or (as the case may be) the Lord President considers] 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), <sup>F3</sup>... [<sup>F4</sup>59(2) or (6)] 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.

#### Textual Amendments

- F1** Words in s. 81(1) inserted (1.4.2010) by [Judiciary and Courts \(Scotland\) Act 2008 \(asp 6\)](#), ss. 73, 76, [Sch. 5 para. 5\(2\)\(a\)](#); S.S.I. 2010/39, [art. 2](#), Sch.
- F2** Words in s. 81(2)(a) inserted (1.4.2010) by [Judiciary and Courts \(Scotland\) Act 2008 \(asp 6\)](#), ss. 73, 76, [Sch. 5 para. 5\(2\)\(b\)](#); S.S.I. 2010/39, [art. 2](#), Sch.
- F3** Word in s. 81(3)(a) omitted (31.12.2020) by virtue of [The Criminal Justice \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/339\)](#), regs. 1(3), [4\(3\)](#)

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**Changes to legislation:** *There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 81. (See end of Document for details)*

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**F4** Words in s. 81(3)(a) inserted (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), **ss. 127(4), 138(2)**; [S.S.I. 2015/77](#), art. 2(2)(3), sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Section 81.