

SCHEDULE 8

(introduced by section 128(2))

REPEALS

PART 1

REPEALS RELATING TO PART 1

Commencement Information

II Sch. 8 Pt. 1 in force at 1.4.2013 by S.S.I. 2013/51, art. 2

Enactment	Extent of repeal
Children and Young Persons (Scotland) Act 1937 (c.37)	Section 101(3).
Police (Scotland) Act 1967 (c.77)	The whole Act except for sections 32A and 42.
Social Work (Scotland) Act 1968 (c.49)	In section 94, the definition of “constable”.
Local Government (Scotland) Act 1973 (c.65)	Section 56(9)(b). Section 63. Section 64(7). Section 236(2)(g).
Criminal Justice (Scotland) Act 1980 (c.62)	In section 81(1), the definition of “constable”.
Civic Government (Scotland) Act 1982 (c.45)	Section 77(2). Section 85(2). Section 86F(4).
Prisons (Scotland) Act 1989 (c.45)	In section 14(4), the words “in their area”. Section 14(7).
Criminal Justice and Public Order Act 1994 (c.33)	In section 163(4), the definition of “chief officer of police”.
Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40)	In Schedule 2, Part 3, the entries relating to the Police (Scotland) Act 1967 (c.77).
Criminal Procedure (Scotland) Act 1995 (c.46)	In section 194I(4), the definition of “police force”. Section 280(5)(b)(i) and (iii).
Police Act 1996 (c.16)	Section 60A. Section 61(1)(ca), (cb), (cc), (cd) and (6). Section 62(1A)(b), (1AA), (1AB) and (1AC).

**Changes to legislation:** Police and Fire Reform (Scotland) Act 2012, SCHEDULE 8 is up to date with all changes known to be in force on or before 26 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

	In section 62(2), the words “, or for the purposes of subsection (1AA) or (1AC) above,”.
	In section 62(3), the words “, section 27 of the Police (Scotland) Act 1967”.
	Section 64(4E) and (4F).
Crime and Punishment (Scotland) Act 1997 (c.48)	Section 45 and 46.
	Section 63(1)(a)(iii).
Police Act 1997 (c.50)	Section 93(3)(f), (3B) to (3E), (5)(j) and (6)(cc).
	In section 94(2)(a), the words “or (d)”.
	Section 94(2)(h), (4)(aa) and (5) to (7).
	Section 107(4)(ba).
Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)	In schedule 3, the entry for “The Scottish Police Services Authority”.
Regulation of Investigatory Powers (Scotland) Act 2000 (asp 11)	Section 9.
	Section 10(1A)(b) and (c).
	Section 10A.
	Section 11(3).
	Section 11(4)(b)(ii).
	Section 11(5).
	Sections 12 and 12A.
	Section 14(5)(b).
	Section 15(7)(aa).
	Section 16(2) and (7).
	Section 18(b).
	Section 20(3), (6) and (7).
	In section 31(1), the entries for “joint surveillance operation” and “police member”.
Transport (Scotland) Act 2001 (asp 2)	In section 48(1), the entry for “police area”.
Police and Fire Services (Finance) (Scotland) Act 2001 (asp 15)	The whole Act.
Scottish Public Services Ombudsman Act 2002 (asp 11)	In schedule 2, paragraph 14.
	In schedule 4, paragraphs 1(b) and 16.
Freedom of Information (Scotland) Act 2002 (asp 13)	In schedule 1, paragraphs 51, 52 and 52A.

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Local Government in Scotland Act 2003 (asp 1)	<p>In section 46(1), the words “or a joint police board”.</p> <p>In section 46(3)(a), the words “or, as the case may be, board”.</p> <p>In section 46(3)(b), the words “or board” and “or, as the case may be, board”.</p> <p>Section 61(b).</p> <p>In section 61(c)(iii) the words “and a joint police board”.</p>
Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)	In schedule 2, the entry “Scottish Police Services Authority”.
Criminal Justice (Scotland) Act 2003 (asp 7)	<p>Section 75.</p> <p>In section 76, subsections (1) to (9).</p>
Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8)	<p>In section 1, the word “relevant” at each place it occurs in subsections (3)(f)(i), (ii) and (iii), (4), (8) and (10).</p> <p>In section 2, the word “relevant” at each place it occurs in subsections (1)(a) and (2)(a).</p> <p>In section 20(3)(b), the words “whose police area includes the relevant locality and”.</p>
Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 (asp 9)	In section 4(2), paragraphs (b), (c) and (d).
Edinburgh Tram (Line Two) Act 2006 (asp 6)	In section 62(5), the entry beginning “chief officer of police”.
Edinburgh Tram (Line One) Act 2006 (asp 7)	In section 62(5), the entry beginning “chief officer of police”.
Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10)	<p>Sections 1 to 32.</p> <p>Section 34(7).</p> <p>Section 41(2) to (5).</p> <p>Section 42.</p> <p>Sections 48 to 50.</p> <p>In section 99, the entry for “the 1967 Act”.</p> <p>Schedules 1 to 3.</p> <p>In schedule 4, paragraph 2(1)(f).</p> <p>In schedule 6, paragraphs 1, 7, 11 and 12.</p>
Public Services Reform (Scotland) Act 2010 (asp 8)	<p>In schedule 5, the entry for “Scottish Police Services Authority”.</p> <p>In schedule 8, the entry for “Scottish Police Services Authority”.</p>

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Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)	In schedule 1, the entries for “constable”, “police area”, “police authority” and “police force”.
Criminal Justice and Licensing (Scotland) Act 2010 (asp 13)	Section 31(7). Section 56.
Alcohol etc. (Scotland) Act 2010 (asp 18)	Section 15(3)(b)(ii).
Public Records (Scotland) Act 2011 (asp 12)	In the schedule, the entries for “Joint police boards”, “Police Advisory Board for Scotland” and “Scottish Police Services Authority”.

## PART 2

### REPEALS RELATING TO PART 2

#### Commencement Information

**I2** [Sch. 8 Pt. 2](#) in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

<i>Enactment</i>	<i>Extent of repeal</i>
Gas Act 1965 (c.36)	In section 28(1), the definition of “fire and rescue authority”.
Local Government (Scotland) Act 1973 (c.65)	Section 63A.
Water (Scotland) Act 1980 (c.45)	In section 109(1), the definition of “fire authority”.  In section 1(1) of Schedule 4, the definition of “fire authority”.
Local Government, Planning and Land Act 1980 (c.65)	Section 2(1)(h).
Civic Government (Scotland) Act 1982 (c.45)	In section 8, the definition of “appropriate relevant authority”.  Section 89(4A)(b) and the word “and” immediately preceding it.  Section 89(4B).  Section 93(9).  In section 98(2), the definition of “appropriate relevant authority”.

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	In paragraph 3 of schedule 2, the definition of “appropriate relevant authority”.	
Housing (Scotland) Act 1987 (c.26)	In section 82, the definition of “fire authority”.	
Housing (Scotland) Act 1988 (c.43)		Section 43(3)(a)(vii) and the word “or” immediately preceding it. Section 45(4)(g).
Housing (Scotland) Act 2001 (asp 10)	In paragraph 2 of schedule 1, the words from “A tenancy”, where they first occur, to “such an authority”.	
Local Government in Scotland Act 2003 (asp 1)	In section 22(9), the words “Subject to section 16(3) of the Fire (Scotland) Act (asp 5),” and paragraph (c).  In section 61, paragraph (a) and, in paragraph (c), the words “, a joint fire board”, in each place where they occur.	
Fire (Scotland) Act 2005 (asp 5)	Section 1. Sections 2 to 7. Section 12. Section 16(5) and (6). Sections 33 and 34. Section 37. Section 41(7). Sections 42 and 43. Sections 44 to 46. Sections 48 to 50. Section 61(4) and (5). Section 67(2). In section 79(1), the definition of “local authority”. Section 88(4)(a). Schedule 1.	

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Housing (Scotland) Act 2006 (asp 1)	In section 194(1), the definition of “chief officer of the fire and rescue authority”.
Public Services Reform (Scotland) Act 2010 (asp 8)	In schedule 20, the entry “Her Majesty’s Chief Inspector of Fire and Rescue Authorities, Her Majesty’s Inspectors of Fire and Rescue Authorities and Assistant Inspectors of Fire and Rescue Authorities appointed under section 43 of the Fire (Scotland) Act 2005 (asp 5)”.

PART 3

REPEALS RELATING TO BOTH PARTS

**Commencement Information**

**I3**    [Sch. 8 Pt. 3](#) in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

<i>Enactment</i>	<i>Extent of repeal</i>
Pipe-lines Act 1962 (c.58)	Section 37(4)(a).
Local Government etc. (Scotland) Act 1994 (c.39)	Section 8(5).  In section 8(7), the definitions of “fire personnel” and “police personnel”.  Section 55(7).  In section 55(12), the words from “any” to “1967”.
Local Government in Scotland Act 2003 (asp 1)	Section 25.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)